

MID SUSSEX DISTRICT COUNCIL

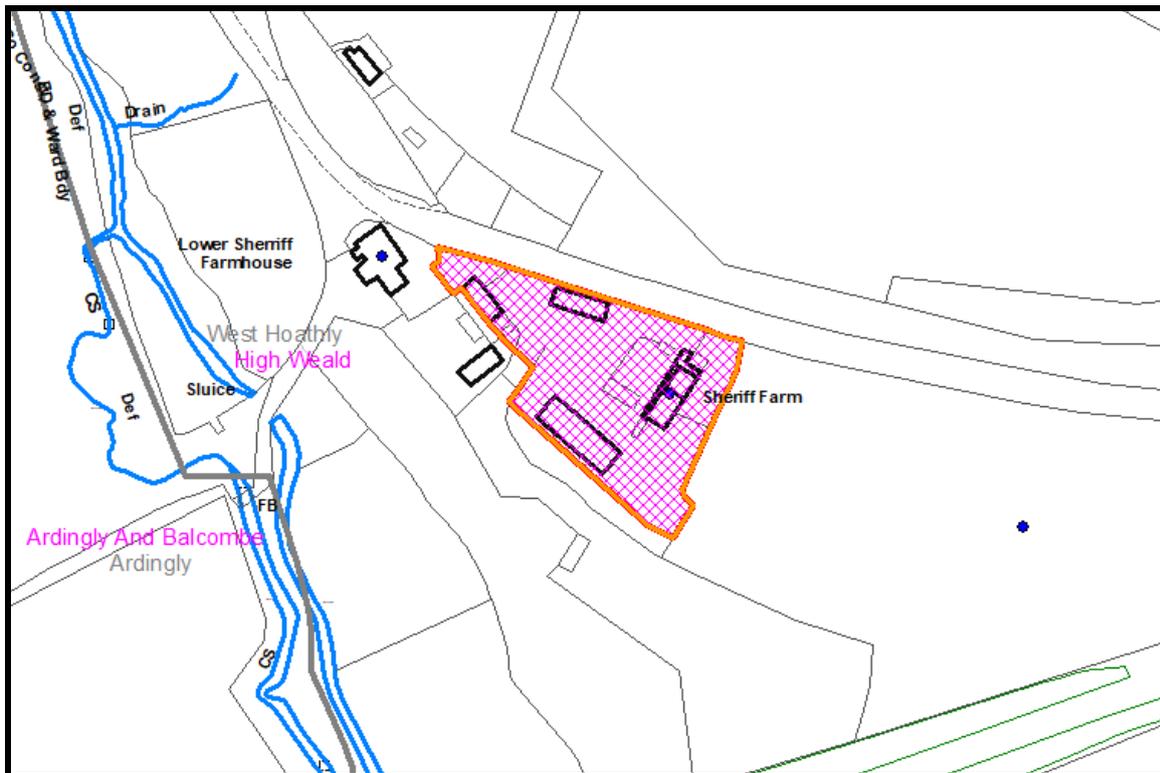
Planning Committee

**9 SEP 2021**

RECOMMENDED FOR PERMISSION

**West Hoathly**

**DM/21/2457**



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**LOWER SHERIFF FARM HAMMINGDEN LANE ARDINGLY HAYWARDS HEATH  
CHANGE OF USE OF FOUR EXISTING FARM BUILDINGS TO AN EVENTS VENUE. SMALL LEAN-TO EXTENSION TO THE NORTHERN SIDE OF THE MAIN BARN.  
MR AND MRS EDWARDS**

POLICY: Areas of Outstanding Natural Beauty / Area of Special Control of Adverts / Ashdown Forest SPA/SAC / Countryside Area of Dev. Restraint / Bluebell Railway / Aerodrome Safeguarding (CAA) / Minerals Local Plan Safeguarding (WSSC) /

ODPM CODE: Change of Use

8 WEEK DATE: 16th September 2021

WARD MEMBERS: Cllr Linda Stockwell / Cllr Paul Brown /

CASE OFFICER: Anna Tidey

## **PURPOSE OF REPORT**

To consider the recommendation of the Divisional Leader, Planning and Economy on the application for planning permission as detailed above.

## **EXECUTIVE SUMMARY**

This application seeks planning permission to change the use of four farm buildings to an events venue and to extend the main barn at Lower Sheriff Farm, Hammingden Lane, Ardingly.

The application is being reported to committee as MSDC as one of the applicants is a District Councillor.

The proposed events venue will allow a diversification of use on the site. The use will allow the refurbishment and repair of the existing buildings on the site and provide multi-functional spaces using the existing 4 barns, with a total area of 308 square metres on a 2100 square metre site. The remainder of the farm unit (14,400 square metres) in the adjacent field is to remain in agricultural use, with the application area limited to the barns and the immediate courtyard area.

The maximum anticipated number of guests for an event is approximately 80-100 people, with a capacity of up to 120 people, although the majority of events are likely to be much smaller. The venue would be open all year round, but it is anticipated that the most popular time for events will be on Saturdays during the Summer months.

Works that are proposed to the buildings include repairs and renovations, and the addition of a 4m wide by 7.7m wide extension on the northern end of the main barn to allow for new toilet provision. This extension is to be constructed in place of existing additions on this end of the building, in disrepair.

The proposal is for the reuse of existing buildings for business purposes in the countryside which is supported by Mid Sussex District Plan Policy DP1, in accordance with the exception for certain rural development in DP12. Consideration has been given to the impact of the proposed use upon neighbouring amenity and in terms of transport generation. The impact upon the AONB has also been considered. No significant concerns have been identified.

The development would diversify the use of the site, from its former agricultural use,

and bring the buildings back into a productive new use and could be of benefit to the local economy.

The proposal would meet the requirements of Policies of the Mid Sussex District Plan and the guidance contained within the NPPF. There are no relevant Neighbourhood Plan Policies.

The application is therefore recommended for conditional approval as set out in full at Appendix A.

### **RECOMMENDATION**

It is recommended that permission be granted subject to the conditions listed at Appendix A

## **Summary of Consultations**

(Full responses from Consultees are included at the end of this report as Appendix B.)

### **WSCC Highways Authority**

This is a re-submission of withdrawn planning application DM/20/2996.

Within the previous application there were some outstanding issues relating to the highway which required more information. This has been provided within this submission.

**Access:** The site is currently accessible from Station Approach a 'D' classified rural road with a 60mph speed restriction. Two access points currently connect the site to the highway, but these latest plans will require the western access to be closed, as per WSCC advice, and the eastern access widened and improved to provide visibility splays in line with speed survey data undertaken in application DM/20/2996.

Speed survey data (from previous application) 85th percentile speeds of 36mph westbound and 35mph eastbound were recorded. WSCC are satisfied this data can be used.

**Proposed Visibility:** This recent application has provided details of an improved access with visibility splays of 2.4m x 60m to the west, and 62m to the east. The applicant has also had to widen the access to allow two cars to pass each other. Swept path diagrams have been provided to demonstrate how this can be achieved. As this will require changes to the highway a s278 agreement will need to be progressed, this will include the closure of the western access.

**Car Parking:** Parking has been provided for 30 cars on site. This has been based on the maximum capacity of 120 people and dividing this by 4 (the number of people who can share a car). Given the site will have additional trips such as caterers, florists, live music etc, this level of parking is considered acceptable.

All spaces should be provided at 2.4m x 4.8m, except for disabled spaces which require a larger space at 3m x 6m. Based on a proposal of 30 spaces, 1 to 2 spaces should be larger to accommodate a disabled vehicle.

Electric Vehicle Charging: EVC charging facilities can be provided on a need's basis, given the length of time people will spend here, there could be a need. Using WSCC EVC policy as a guide, a minimum of 20%, could be considered which equates to 6 spaces. The location of these will need to be shown on any further plans.

Cycle Parking: Cycle parking @ 1 space per 4 staff and visitor parking. The applicant will need to consider the level of provision based on staff and provide secure and covered options. WSCC recommend the use of Sheffield stands, as standard. The location of these will need to be shown on any further plans.

Internal Layout: Thought should be given to the layout of the car park, which could be: a one-way system in/out, or creating spaces to minimize the number movements required to enter and exit.

A swept path showing how a minibus can use the site has been provided and shows this can enter turn and exit in forward gear.

Trips & RSA: Given the size of the venue and the maximum number of 120 guests, trips to the site have been previously reviewed and considered to be in the region of 70-80 trips per event, with up to 28 events per year within the months of May to September. The site will see an intensification of use. However, it will not result in a capacity or highway safety issue.

Road Traffic Casualty and Collision Data: The WSCC Road Traffic Casualty and Collision Data shows there have been no recorded incidents in the vicinity of the access within the last 5 years.

Car Park Management: The applicant has stated they will promote the use of car sharing and only offer a pre-booking service for visitors who car share, to manage the traffic on-site. They will also encourage the use of mini-buses and taxis to minimise the number of parking spaces required. As Station approach has no enforceable parking restrictions, and at present no overspill parking provision, there is a chance this could cause highway safety issues within the highway. As such WSCC would suggest the LPA conditions this plan.

### *Summary*

WSCC has considered the above proposal to change the use of the existing agricultural barn and office into a wedding venue with new access and parking. The development does not create an unacceptable impact on highway safety, nor would the residual cumulative impact on the road network would be severe. No objection is raised.

## **Environmental Health Officer**

It is almost inevitable that residents living near to the venue will suffer some degree of disturbance if this permission is granted. However, with the mitigation measures outlined in the acoustic report, put into place, the degree of disturbance can be reduced, particularly the music noise. Customer noise and traffic noise are harder to deal with.

If permission is granted for this development, I would recommend that conditions are used to minimise the potential disturbance as much as possible. The noise management condition below could be used to control noise levels by detailing suitable noise protection measures.

## **MSDC Drainage**

Recommendation: No objection.

## **SURFACE WATER DRAINAGE**

The application has shown that, in principle, surface water drainage can be managed on site. We would advise that the development is considered a change of use with a minor extension and as such is not considered new build in terms of drainage.

The proposed drainage system is considered acceptable subject to detailed design. The details of the drainage system can be managed via Building Control.

## **FOUL WATER DRAINAGE**

It is proposed that the development will manage foul water drainage via a new package treatment plant with an outfall to the watercourse. Due to the commercial kitchen a grease separator shall be utilised prior to foul drainage entering the package treatment plant.

The principle of foul water drainage is considered acceptable. Given this application is a change of use we would advise that the detailed design can be managed via Building control.

We would, however, advise the applicant that the proposed foul drainage system should meet with the Environment Agency's General Binding Rules for non-mains drainage otherwise an Environmental Permit will be required.

## **WSCC FRS Water and Access**

There is a requirement for additional water supply. Conditions are recommended for hydrant provision.

## **Trees and Landscape Officer**

I have reviewed the AIA (10/5/21) / AMS (10/5/21) / TPP (10/5/21) / Proposed Landscape Design (PL\_00\_120- rev 02) / Design and Access Statement / Drainage Assessment AIA, AMS (10/5/21) / TPP (10/5/21) / Proposed Landscape Design (PL\_00\_120- rev 02) / Design and Access Statement / Drainage Assessment documents.

### **Comments:**

- The development requires the removal of 6 trees (including 1 x group cat B willow/ 1 x cat C/ 4 x cat U). All trees are of low amenity value and it is accepted that the loss of these trees can be mitigated by the replanting of good quality native trees.
- Incursions into RPAs - The report has given detailed and precise information on the impact the development is likely to have on the RPAs of the impacted trees. The incursions are mainly due to the allocated parking spaces, the access track and maintenance of the current buildings. The mitigation and protection measure detailed are suitable given the proposed (acceptable) incursions. However, it is requested the following points are checked to ensure they reflect the most current proposals and the reports should be updated accordingly if necessary:
  - Allocation of parking spaces (see below)
  - Routing of services within the RPA of trees (see below)
  - Widening of the access track (see below)
- The protection details shown on the TPP are suitable, however the plan particularly in respect of parking spaces does not appear to match the layout shown on the proposed landscape design - please can this be checked and all arboricultural documents be amended accordingly where necessary.
- I believe a wider entrance to the site is proposed to fulfil Highways regulations. If this is the case, please check the reports fully reflect this.
- Details regarding the routing of services is limited within the report. Section 7.5 (and 8.3) refers to 'the use of existing services; and if there is a need for any installation within RPAs this shall be planned to avoid any retained trees RPA'. Given the extension to the north of the main barn is for toilets and it sits within the RPA of T4 (category A oak) please can we have confirmation that no further service routes are to be laid to facilitate this or if they are the impact on any trees along with protection measures (reports should be updated if applicable).
- The resurfacing on site particularly within the RPAs which is to take place at the final landscaping phase of development is considered a sensible option allowing the current surfacing to act as ground protection during construction and avoid damage and relaying of a new surface.

Based on the current details I would be unlikely to object to the proposed development on arboricultural grounds, however I cannot formally confirm this until the points raised above are fully clarified.

## **Ecological Adviser**

To be reported

## **Summary of Representations**

Five representations received, which contains the following points:

- Agree to max of 12 weddings (6 in summer June - August)
- Agree to acoustic instruments and background music
- Agree to events finishing by 11pm
- There is likely to be some disturbance from vehicles leaving at 11pm
- No objection to limited culinary events.
- Concern that under future ownership the restrictions may be removed.
- The rural location of the site makes it unsuitable for a commercial venture of this nature
- Concerned by the increased road traffic and increase in background noise
- Concern that proposed parking will cause overspill parking on Hammingden Lane, with resulting highway hazards.
- The area is peaceful and evening noise may result as people leave.
- There should be acoustic screening to the smoking area
- A residential use would have less impact.
- Access from Burstowhill Lane has not been adequately considered.
- There is a serious risk of accidents at the junction.
- There will be an increased risk to cyclists using the lanes
- The roads serving the site are narrow country lanes. In many cases, these lanes have poor visibility due to tight corners and overgrown vegetation.
- There will be a significant increase in transport movements.
- Neighbouring properties will be affected by increased noise and light pollution from this traffic through the day and particularly late at night
- Impact upon wildlife in the area - e.g. herds of deer.
- The development would harm the special qualities of this part of the High Weald AONB.

## **Parish Council Observations**

The Parish Council had no objections to the proposed use but do have concerns over parking on Hammingden Lane and would therefore like parking on nearby roads to be discouraged.

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## **INTRODUCTION**

This application seeks planning permission for the development of an events venue at Lower Sheriff Farm, off Hammingden Lane in West Hoathly Parish.

The application is being reported to committee as one of the applicants is a District Councillor.

## **RELEVANT PLANNING HISTORY**

Planning reference: DM/20/2996. Change of use of 4 existing farm buildings to an events venue. Small lean-to extension to the northern side of main barn. Withdrawn November 2020.

Planning reference: 03/01318/COU. Change of use of barns to B1 use. Approved July 2003.

## **SITE AND SURROUNDINGS**

The application site is a largely disused farm yard to the south west of Lower Sheriff Farmhouse on the southern side of Hammingden Lane.

The site is in open countryside and in the High Weald Area of Outstanding Natural Beauty.

The site has two field gateways which provide vehicular access from the lane and accommodates four barns and an open sided Dutch barn set around a central grassed courtyard area.

The land to the south is woodland and there is an associated field to the east. The application details that the intention is to return the farm field areas to agriculture usage through a partnership with a farming group.

## **APPLICATION DETAILS**

The application seeks planning permission for the change of use of four of the barns to form an events venue, with associated repair works and alterations. The barns consist of:

Barn A - The largest barn on the site, constructed in brick with a tiled roof. The building is set at a right angle to Hammingden Lane and faces north east into the site, flanked by Barns C and D.

The building measures approx. 29m wide and 8m deep (approx.) and consists of an open central area with associated stables, lean to sections and open yards to the side. The barn has not been in agricultural use for many years and is currently in use for ancillary domestic storage. The barn is in some disrepair.

The proposal includes renovation works to replace windows, roof lights and doors and retiling the damaged roof. New glazed panels are proposed in the existing openings on the front and rear of the building. A new 4m wide by 7.7m (approx.) wide extension with a crown roof is proposed on the northern end of the main barn to allow for new toilet provision, built in place of an existing dilapidated structure.

It is proposed that this building is used as the main venue for formal ceremonies and events. It has a usable floor area of 162 square metres.

Barn B - This is the next largest barn on the site. It is located with the rear elevation against the boundary hedge on the northern site boundary with Hammingden Lane.

The building measures approx. 17m wide and 6m deep (approx.) and is a simple open fronted pole barn with a timber frame and metal sheet cladding and roof. Part of the barn is in use as a chicken run with the rest in use for ancillary domestic storage. The barn has a rustic appearance and is in some disrepair.

It is proposed that this building is repaired and connected to power and water supplies and used as a flexible space for smaller gatherings or as a smaller food and drink staging area for the warmer months. It has a usable floor area of 94 square metres.

Barn C - This is a 10m wide by 4m deep brick former stable building with a gabled tiled roof, currently in use for ancillary domestic storage. It has a usable floor area of 37 square metres.

Barn D - This is a small brick building with a tiled gabled roof, currently in use for storage purposes. The building is located beneath the canopy of a large oak tree sited adjacent to the northern access gateway, which is to be retained on the site. The building has a usable floor area of 15 square metres.

It is proposed that both Barn C and D are repaired and improved electric and water connections provided. It is proposed that the recycling and waste bins are stored in these buildings.

Dutch Barn and remainder of the site - The open Dutch barn is shown to be utilised for six under cover parking spaces.

The remainder of the central courtyard area is to remain open with new informal landscaping with spaced granite cobble setts and wildflower planting. The proposed parking is shown mainly to be located to the eastern side of the site in a series of tandem and informally arranged parking spaces. Three spaces are indicated by the western end of the open Barn B.

The application has been supported by a Design and Access Statement and a Planning Statement which explain the proposal. In addition the application has been accompanied by an Arboricultural Impact and Method Statements, a drainage assessment, Structural Appraisal Report, Noise Assessment, Transport Note and a Preliminary Ecological Appraisal.

Further information has been sought from the applicant's agent regarding the intended events use, and in particular clarification of the type of events that are proposed to be undertaken at the site, whether this is a new business venture or a relocated local business, the extent of market analysis undertaken to assess the commercial viability of this venture and details of the potential number of staff to be employed and local economic benefits of this use. This information will be added to the Planning File on receipt and reported at the Committee meeting.

## **LEGAL FRAMEWORK AND LIST OF POLICIES**

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.'*

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.'*

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.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts 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.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan and the West Hoathly Neighbourhood Plan.

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.

### **Mid Sussex District Plan**

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

Relevant policies:

- DP1: Sustainable Economic Development
- DP12: Protection and Enhancement of the Countryside
- DP13: Preventing Coalescence
- DP16: High Weald Area of Outstanding Natural Beauty.

DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).  
DP19: Sustainable Tourism  
DP21: Transport  
DP26: Character and Design  
DP29: Noise, Air and Light Pollution  
DP37: Trees, Woodland and Hedgerows  
DP38: Biodiversity  
DP39: Sustainable Design and Construction  
DP41: Flood Risk and Drainage

## **West Hoathly Neighbourhood Plan - made on 16 April 2015**

Relevant policies:

WHP4: Visualisations.

### *Mid Sussex Design Guide Supplementary Planning Document (SPD)*

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.

## **National Policy**

### **National Planning Policy Framework (NPPF - July 2021)**

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development.

Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective. This means ensuring sufficient land of the right type to support growth; providing a supply of housing and creating a high quality environment with accessible local services; and using natural resources prudently. An overall aim of national policy is '*significantly boosting the supply of homes.*'

Paragraph 12 of the NPPF states '*The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*'

Paragraph 38 of the NPPF states '*Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*'

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.

## **ASSESSMENT**

The main issues for consideration in determining the application are:

- Principle of development
- Impact upon the AONB
- Design
- Impact upon residential amenity
- Highway and Parking issues
- Sustainability
- Drainage
- Habitats Regulations Assessment for Ashdown Forest
- Planning Balance and Conclusion

### **Principle of development**

The most relevant policies in considering the principal of this proposal are District Plan Policies DP1 and DP12.

District Plan Policy DP1 states:

total number of additional jobs required within the district over the plan period is estimated to be an average of 543 jobs per year. This will be achieved by:

- Encouraging high quality development of land and premises to meet the needs of 21st century businesses;
- Supporting existing businesses, and allowing them room to expand;
- Encouraging inward investment, especially the location, promotion and expansion of clusters or networks of knowledge, creative or high technology industries; and
- Seeking the provision of appropriate infrastructure to support business growth - in particular high speed broadband connections.

Provision for new employment land and premises will be made by:

- Allocating 25 hectares of land as a high quality business park at Burgess Hill to the east of Cuckfield Road;
- Allocating further sites within the Site Allocations DPD;

- Incorporating employment provision within large scale housing development as part of a mixed use development where it is appropriate; and
- Allowing new small-scale economic development, in the countryside, including tourism (in accordance with Development in the Countryside policies).

The development of a Science and Technology Park has been proposed to support research and development and provide high quality employment for the wider area. The Coast to Capital Strategic Economic Plan identifies a broad location to the west of Burgess Hill. This broad location is indicated on the Policies Map. The Council would consider any such proposals taking into account:

- how the proposal demonstrates that it would contribute to meeting the overall objectives of this policy;
- how the proposal demonstrates that the development would comprise uses falling within the definition of a 'Science Park' as set out by the UK Science Park Association, alongside appropriate ancillary uses required to serve the development and its employees;
- how the proposal would secure the objectives of policy DP21: Transport, particularly in terms of delivering sustainable transport; and
- the identification of and response to environmental, ecological and landscape constraints on and around the site and how the proposal demonstrates that it would achieve a high quality of design, layout, ecological protection and enhancement, and landscaping to address the objectives of Policies DP26: Character and Design, DP37: Trees, Woodlands and Hedgerows, and DP38: Biodiversity

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;
- Giving priority to the re-use or adaptation of rural buildings for business or tourism use and to the diversification of activities on existing farm units (in accordance with Development in the Countryside policies).

Neighbourhood Plans should:

- Identify the needs of local businesses and their local residents for employment opportunities and any areas requiring economic regeneration, infrastructure provision or environmental enhancement as required by paragraph 21 of the National Planning Policy Framework; and
- Allocate sufficient land within their towns and villages to meet these needs.

If monitoring indicates that there is an insufficient supply of allocated employment sites to meet the District's jobs needs, then the Council will consider allocating sites through a Site Allocations Development Plan Document, produced by the District Council.

District Plan Policy DP12 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.*

*Agricultural land of Grade 3a and above will be protected from non-agricultural development proposals. Where significant development of agricultural land is demonstrated to be necessary, detailed field surveys should be undertaken and proposals should seek to use areas of poorer quality land in preference to that of higher quality.*

*The Mid Sussex Landscape Character Assessment, the West Sussex County Council Strategy for the West Sussex Landscape, the Capacity of Mid Sussex District to Accommodate Development Study and other available landscape evidence (including that gathered to support Neighbourhood Plans) will be used to assess the impact of development proposals on the quality of rural and landscape character.*

*Built-up area boundaries are subject to review by Neighbourhood Plans or through a Site Allocations Development Plan Document, produced by the District Council.*

*Economically viable mineral reserves within the district will be safeguarded.*

Also relevant in the determination of this application is the national planning policy advice contained within the NPPF. This refers to the role of planning in supporting a prosperous rural economy at Paragraphs 84-85, which states:

'84.Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

85.Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'

The proposal will seek to maintain and enhance the rural setting of the disused former farm buildings on this site and allow their repair and reuse with a new business use as an events site. District Plan Policy DP1 gives priority to the re-use or adaptation of rural buildings for business or tourism use and to the diversification of activities on existing farm units (in accordance with Development in the Countryside policies).

Policy DP12 seeks to protect the countryside from inappropriate development but allows development where it is supported by another policy in the District Plan. In this case Policy DP1 is supportive of the reuse of existing buildings for business use in the countryside.

The principle of the reuse of these buildings for commercial purposes is considered to accord with the above policies. It is considered that the proposal represents an appropriate, small-scale diversification proposal for the former agricultural buildings at Lower Sheriff Farm. The remainder of the land is to be returned to agricultural production which also accords with the aims of the policy and it is considered that the size of the site and buildings available to the proposed use will limit the scale of the events that can be held at Lower Sheriff Farm.

As such it is considered that the proposal accords with District Plan Policies DP1, DP12 and the rural development guidance in the revised NPPF.

### **Impact upon the AONB**

The proposed development is located in a remote rural setting within the High Weald AONB. Policy DP16 of the Mid Sussex District Plan seeks to conserve or enhance the natural beauty of the area. The policy states:

'Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular;

- the identified landscape features or components of natural beauty and to their setting;
- the traditional interaction of people with nature, and appropriate land management;
- character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and

- the conservation of wildlife and cultural heritage.

Small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported.

Development on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular should not adversely affect the views into and out of the AONB by virtue of its location or design'.

Paragraph 176 of the revised NPPF is also relevant. This states:

*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'*

The proposal needs to be assessed in terms of the physical changes proposed to the buildings and their setting on the site and in terms of the use and its impact upon the wider environment of the AONB.

The proposed repair and renovations of the four main barns on the site and the associated informal landscaping to the inner farm courtyard area will serve to improve the appearance of the site. The barns are sited in a group and this will be enhanced in the limited public views through the access point off Hammingden Lane. The physical alterations to the buildings and yard would not impinge on wider local views or the character of the area. Consequently, it is considered that the physical alterations will accord with Policy DP16 of the Mid Sussex District Plan and the guidance contained within the High Weald AONB Management Plan 2019-2024 and the overall aims of the NPPF.

In terms of the use of the site, there are associated impacts that could affect the environment of this part of the AONB, many of which have been raised in the representations that have been reported above. Issues such as the frequency and timing of the use, noise, associated traffic and parking, noise and light pollution and ecological impacts will be discussed further below.

## **Design**

Policy DP26 of the District Plan aims for all development to be well designed and to reflect the distinctive character of the towns and villages while being sensitive to the countryside. It states:

'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;
- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;
- 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;
- protects valued townscapes and the separate identity and character of towns and villages;
- 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);
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;
- positively addresses sustainability considerations in the layout and the building design;
- take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;
- optimises the potential of the site to accommodate development.'

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.

The Design Guide seeks to encourage high quality buildings which minimise environmental impact. Principle DG37 states:

'The construction industry makes a significant contribution to CO2 emissions utilising substantial volumes of non-renewable resources and generating pollution and waste. The need for sustainable approaches to building design is therefore fundamental if the challenges associated with climate change, resource depletion and pollution are to be addressed, and will be necessary to achieve the Government's Future Homes Standard.

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.

Applicants must demonstrate how this has informed their design and should consider in particular:

- Orientation and design of buildings and roofs to maximise daylight / sunlight penetration and solar gain, whilst also avoiding overheating;
- The use of green roofs or walls to reduce storm water run-off, increase sound-proofing and biodiversity;
- The use of materials with low embodied energy (for example, renewably-sourced timber and recycled materials);
- The use of sustainable materials that are locally sourced wherever possible;
- Incorporating high levels of insulation (in combination with air tightness and temperature control systems) including the use of materials with a high thermal mass, such as stone or brick, which store heat and release it slowly;
- Incorporating renewable energy including photovoltaics, solar thermal water heating, ground and air source heat pumps;
- The use of low flow technology in water fittings, rainwater harvesting systems and grey water recycling systems to reduce water consumption to 110 litres/person/day (maximum); and
- Laying out development to support identified opportunities for decentralised renewable or low carbon energy systems.

Further guidance is provided by District Plan Policy DP39: Sustainable Design and Construction'.

It is considered that the simple approach to the conversion, extension and repair of the existing buildings on the site complement the style of the existing buildings and will not be out of character with the rural setting. Their reuse represents a sustainable approach to secure their future on the site. The new door and window treatments utilise existing openings in the main barn and are appropriate to its character and design.

A planning condition to require any new materials to match the existing buildings is considered appropriate. The proposal is therefore considered to comply with Policy DP26 of the District Plan and the Design Guide Principles.

### **Impact upon residential amenity**

Policy DP26 of the Mid Sussex District Plan states that development should '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'.

In respect of noise, policy DP29 in the District Plan states:

*Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.*

*In appropriate circumstances, the applicant will be required to provide:*

- *an assessment of the impact of noise generated by a proposed development; or*
- *an assessment of the effect of noise by an existing noise source upon a proposed development;*

The application has been supported with information to confirm the proposed low key use of the events venue, with measures to ensure that the impact of the proposal upon the wider area and the neighbouring amenities is minimised. The nearest residential units are Lower Sheriff Cottages, some 240m to the east and Burstow Hill Barn 300m to the west. The position of the site is therefore some distance from the immediate properties, with a good degree of intervening woodland.

The Environmental Health Officer has referred to the details of the submitted acoustic report and made comments regarding the potential impact of noise arising from the proposed new use. Appropriate conditions are recommended to minimise the potential disturbance, to include a noise management condition to control noise levels by detailing suitable noise protection measures.

Subject to the imposition of a series of conditions on the use of the new buildings the proposal is considered to accord with District Plan Policy DP26.

### **Highway and Parking issues**

The Highway Authority have been consulted on the application, and they have considered the submitted information regarding the access for the site, the car parking provision and the trip generation of the proposed use. They have raised no objection to the application, subject to the western access being closed and the eastern site access being used and improved by the provision of appropriately laid out visibility splays. The site has a parking layout for 30 vehicles and this level of parking provision has been deemed to be acceptable with disabled parking provision, with additional EV charging and cycle parking provisions, which can be secured by planning conditions. The trip generation levels are accepted by the Highway Authority and are not considered such as to create a highway safety issue.

Subject to conditions requiring the parking provision and the proposed access and visibility splay provision the proposal accords with Policy DP21 of the District Plan and the relevant requirements of the NPPF.

### **Sustainability**

District Plan Policy DP39 is relevant in the determination of this application. This 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 maximising 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.'

In terms of the requirements of DP39 the proposal is not located in a sustainable location, and will create traffic and trips by users and suppliers to the venue. However, the reuse of the buildings that are already present on the site is in itself a sustainable move and as the events use will not be as intrusive to the original building fabric (as a residential conversion, for instance) this is accepted

Paragraph 85 of the NPPF has been highlighted above but it does recognise that sites to meet business needs in the countryside will need to be found in the countryside and is supported by paragraph 84 which states in part:

'Planning policies and decisions should enable:

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

'85. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'

It is considered that the proposal has been demonstrated to represent a sustainable development on this site and therefore would accord with the requirements of District Plan Policy DP39 and national planning policy highlighted above.

## **Drainage**

Policy DP41 of the District Plan seeks to ensure that proposals can be properly drained. The proposed development is located within flood zone 1 and is deemed to be at a low risk of fluvial flooding and is not in an area identified as having possible surface water (pluvial) flood risk. The Council's Drainage Officer has commented that as the development is a change of use with a minor extension the detailed design of the surface water drainage and foul water drainage age can be managed via Building Control. As such the proposal will accord with Policy DP41 of the District Plan.

## **Habitats Regulations Assessment for Ashdown Forest**

Under the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), the competent authority - in this case, Mid Sussex District Council - has a duty to ensure that any plans or projects that they regulate (including plan making and determining planning applications) will have no adverse effect on the integrity of a European site of nature conservation importance. The European site of focus is the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment process for the Mid Sussex District Plan. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

A Habitats Regulations Assessment screening report has been undertaken for the proposed development.

### **Recreational disturbance**

Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest.

In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan, and as detailed in District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net increase in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach has been developed. This mitigation approach has been agreed with Natural England.

This planning application does not result in a net increase in dwellings within the 7km zone of influence and so **mitigation is not required**.

### **Atmospheric pollution**

Increased traffic emissions as a consequence of new development may result in additional atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.

The potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Site Allocations DPD, which indicates there would not be an overall impact on Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

## **Conclusion of the Habitats Regulations Assessment screening report**

The screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development.

No mitigation is required in relation to the Ashdown Forest SPA or SAC.

A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

## **Planning Balance and Conclusions**

This application seeks planning permission to change the use of four farm buildings to an events venue and to extend the main barn at Lower Sheriff Farm, Hammingden Lane, Ardingly.

The proposed events venue will allow a diversification of use on the site. The use will allow the refurbishment and repair of the existing buildings on the site and provide multi-functional spaces using the existing 4 barns, with a total area of 308 square metres on a 2100 square metre site. The remainder of the farm unit (14,400 square metres) in the adjacent field is to remain in agricultural use, with the application area limited to the barns and the immediate courtyard area.

The maximum anticipated number of guests for an event is approximately 80-100 people, with a capacity of up to 120 people, although the majority of events are likely to be much smaller. The venue would be open all year round, but it is anticipated that the most popular time for events will be on Saturdays during the Summer months.

Works that are proposed to the buildings include repairs and renovations, and the addition of a 4m wide by 7.7m wide extension on the northern end of the main barn to allow for new toilet provision. This extension is to be constructed in place of existing additions on this end of the building, in disrepair.

The proposal is for the reuse of existing buildings for business purposes in the countryside which is supported by Mid Sussex District Plan Policy DP1, in accordance with the exception for certain rural development in DP12. Consideration has been given to the impact of the proposed use upon neighbouring amenity and in terms of transport generation. The impact upon the AONB has also been considered. No significant concerns have been identified.

The development would diversify the use of the site, from its former agricultural use, and bring the buildings back into a productive new use and could be of benefit to the local economy.

The proposal would meet the requirements of Policies of the Mid Sussex District Plan and the guidance contained within the NPPF. There are no relevant Neighbourhood Plan Policies.

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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.

### Approved plans

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. No development shall be carried out unless and until samples of materials and finishes to be used for external walls / roofs / fenestration for the repair and extension of the barns hereby approved have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.

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 2014 - 2031.

4. The barns and courtyard for events hereby permitted shall not be in operation other than between the hours of 09:00 and 23:00, Monday to Sunday and on Public/Bank holidays (and there shall be no external illumination on the premises except between the above-mentioned hours).

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

5. The venue hereby permitted shall be limited to holding 12 weddings per year, and only 6 weddings will be permitted during the period June to August.

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

6. Deliveries or collection of plant, equipment or materials for use during the construction phases shall be limited to the following times:

Monday to Friday: 08:00 - 18:00 hours

Saturdays: 09:00 - 13:00 hours

Sundays and Bank/Public Holidays: None permitted.

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

7. The noise rating level of any operational ventilation, refrigeration units, air conditioning plant or machinery to the premises hereby permitted shall be at least 5 dB below the existing background noise level (LA90,T) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014.

If requested by the Local Planning Authority, an assessment shall be carried out with the plant/machinery operating at its maximum setting. To demonstrate compliance, evidence in the form of a report produced by a suitably qualified acoustic consultant shall be submitted to and approved by the Local Planning Authority.

Reason: To safeguard the amenity of residents and to comply with policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

8. The development hereby permitted shall not be brought into use as a catering establishment until a scheme for the installation of equipment to control the emission of fumes and odour from the premises has been submitted to and approved in writing by the Local Planning Authority, and the scheme as approved has been implemented. The submitted odour control scheme shall be in accordance with current best practice and shall include an odour risk assessment, as well as a maintenance and monitoring schedule for the odour control system, to ensure adequate control of odours, to align with the manufacturer's instructions.

Reason: To safeguard the amenity of residents and to comply with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

9. The development shall be not be brought into operation until a suitable Noise Management Plan (NMP) for the commercial units, has been submitted to and approved in writing by the Local Planning Authority. This NMP shall include (but shall not be limited to) noise mitigation measures recommended on page 24 of the acoustic report submitted by Acoustic Associates Sussex Ltd.

The Noise Management Plan as approved by Environmental Health will be in place prior to the first event, and at all times the premises are open the Responsible Person will monitor sound and, if required, adjust the sound output which is under their full control by reducing it below the set agreed sound level.

The Noise Management Plan shall be implemented in full on occupation and complied with thereafter unless otherwise agreed in writing by the Local Planning Authority.

The Noise Management Plan shall be reviewed annually, if changes are made to the site and/or upon receipt of noise complaints.

Reason: To safeguard the amenity of residents and to comply with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

10. No part of the development shall be first occupied until EV charging points, cycle and vehicle and disabled parking and turning spaces have been constructed in accordance with an approved plan, which shall be submitted to and approved by the Local Planning Authority prior to the first use of the events venue hereby permitted. All spaces should be provided at 2.4m x 4.8m, except for disabled spaces which require a larger space at 3m x 6m. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site cycle and car parking and turning space for the development to accord with sustainable transport policies and Policy DP21 of the District Plan (2014 - 2031).

11. No part of the development shall be brought into use until the visibility splays of 2.4m x 60m to the west, and 62m to the east of the eastern access have been constructed in accordance with the approved plan, and the access widen to allow two cars to pass each other.

Reason: To provide adequate on-site cycle and car parking and turning space for the development to accord with sustainable transport policies and Policy DP21 of the District Plan (2014 - 2031).

#### INFORMATIVES

1. In accordance with Article 35 Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. 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.

3. The applicants are advised that the required visibility splays and closure of the western access will result in changes to the highway and therefore a s278 agreement will need to be progressed with West Sussex County Council, Highways.

#### Plans Referred to in Consideration of this Application

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Submitted Date</b>
Location and Block Plan	PL_00_050	-	28.06.2021
Existing Floor Plans	PL_00_100	-	28.06.2021
Existing Elevations	PL_00_101	-	28.06.2021
Existing Floor and Elevations Plan	PL_00_105	-	28.06.2021
Existing Floor and Elevations Plan	PL_00_111	-	28.06.2021
Existing Floor and Elevations Plan	PL_00_115	-	28.06.2021
Landscaping Details	PL_00_120	02	28.06.2021

Proposed Floor Plans	PL_00_150	-	28.06.2021
Proposed Elevations	PL_00_151	-	28.06.2021
Proposed Floor and Elevations Plan	PL_00_155	-	28.06.2021

## **APPENDIX B – CONSULTATIONS**

### **Parish Council Consultation**

The Parish Council had no objections to the proposed use but do have concerns over parking on Hammingden Lane and would therefore like parking on nearby roads to be discouraged.

### **WSCC Highways Authority**

This is a re-submission of withdrawn planning application DM-2996-20.

Within the previous application there were some outstanding issues relating to the highway which required more information. This has been provided within this submission and further comments are below.

#### **Access**

The site is currently accessible from Station Approach a 'D' classified rural road with a 60mph speed restriction. Two access points currently connect the site to the highway, but these latest plans will require the western access to be closed, as per WSCC advice, and the eastern access widened and improved to provide visibility splays in line with speed survey data undertaken in application DM-2996-20.

#### **Speed survey data (from previous application)**

85th percentile speeds of 36mph westbound and 35mph eastbound were recorded. These were recorded just before the national lockdown due to the Covid Pandemic in March 2020; it is acknowledged whilst trips might be slightly higher when people resume normal trip patterns, the speeds are likely to be the same. WSCC are satisfied this data can be used.

To understand what visibility splay is required for speeds of 37mph, WSCC use SSD figures (stopping sight distances) in Manual for Streets (p91, table 7.1.) 2.4m x 56m is required for a 37mph road.

#### **Proposed Visibility**

This recent application has provided details of an improved access with visibility splays of 2.4m x 60m to the west, and 62m to the east. The applicant has also had to widen the access to allow two cars to pass each other. Swept path diagrams have been provided to demonstrate how this can be achieved. As this will require changes to the highway a s278 agreement will need to be progressed, this will include the closure of the western access.

#### **Car Parking Strategy**

WSCC parking standards have been considered and 1 space per 22sqm is the recommended parking standard for sui generis.

328sqm @1 space per 22sqm = 15 spaces.

Parking has been provided for 30 cars on site. This has been based on the maximum capacity of 120 people and dividing this by 4 (the number of people who can share a car).

Given the site will have additional trips such as caterers, florists, live music etc, this level of parking is considered acceptable.

All spaces should be provided at 2.4m x 4.8m, except for disabled spaces which require a larger space at 3m x 6m.

#### Disabled Parking

As per Mfs guidance a minimum 5% of parking for disabled users will be a requirement.

Based on a proposal of 30 spaces, 1 to 2 spaces should be larger to accommodate a disabled vehicle.

EVC charging facilities can be provided on a need's basis, given the length of time people will spend here, there could be a need. Using WSCC EVC policy as a guide, a minimum of 20%, could be considered which equates to 6 spaces. The location of these will need to be shown on any further plans.

#### Cycle Parking

Cycle parking @ 1 space per 4 staff and visitor parking. The applicant will need to consider the level of provision based on staff and provide secure and covered options. WSCC recommend the use of Sheffield stands, as standard. The location of these will need to be shown on any further plans.

#### Internal Layout

Whilst this is not a direct highway issue, as the proposed new access provides enough width and visibility for the speed of the road, WSCC would advise the following: -

The layout of the site is dictated to an extent by the position of the existing buildings. Car parking within the development site is quite tight behind the main barn area and would involve several movements required to access these spaces, including reversing.

Manual for streets fig 8.3.51 p111 provides examples of parking layouts that can make the most of small spaces, with differing aisle widths, whilst still providing useable layouts.

A perpendicular arrangement with an angle to encourage reversing into the parking bays and exiting in forward gear could be considered as an alternative to parallel parking spaces close to the main barn wall. These appear to require a lot of reversing to gain access in or out.

Given the site will have a tidal nature of traffic, some thought should be given to the layout of the car park and how it can be used to its full capacity on whilst keeping reversing manoeuvres to a minimum. Some suggestions could be, a one-way system in/out, or creating spaces to minimize the number movements required to enter and exit.

A swept path showing how a minibus can use the site has been provided and shows this can enter turn and exit in forward gear. It is also able to park in an area which does not affect the other parking spaces.

## Trips & RSA

Given the size of the venue and the maximum number of 120 guests, trips to the site have been previously reviewed and considered to be in the region of 70-80 trips per event, with up to 28 events per year within the months of May to September.

The site will see an intensification of use however it will not result in a capacity or highway safety issue. The applicant will be making improvements to the current access which exceeds the requirement for visibility based on the submitted speed survey results.

It was also agreed with WSCC that a Stage 1 Road Safety Audit was not required due to its minor application status, and the access improvements.

## Road Traffic Casualty and Collision Data

An interrogation of the WSCC Road Traffic Casualty and Collision Data shows there have been no recorded incidents in the vicinity of the access within the last 5 years.

## Car Park Management

The applicant has stated they will promote the use of car sharing and only offer a pre-booking service for visitors who car share, to manage the traffic on-site. They will also encourage the use of mini-buses and taxis to minimise the number of parking spaces required. As Station approach has no enforceable parking restrictions, and at present no overspill parking provision, there is a chance this could cause highway safety issues within the highway. As such WSCC would suggest the LPA conditions this plan.

## Summary

WSCC has considered the above proposal to change the use of the existing agricultural barn and office into a wedding venue with new access and parking. The development does not create an unacceptable impact on highway safety, nor would the residual cumulative impact on the road network would be severe, no objection is raised.

## **Environmental Health Officer**

The applicant seeks to change the use of existing farm buildings to provide a venue for three main purposes, as a wedding venue, to host culinary events with music and to host care events involving challenged or differently abled children taking part in supervised activities.

Given the quiet rural location of this property, I am concerned that there is the potential for the amenity of local residents to be adversely affected however, the acoustic report produced by Acoustic Associates Sussex Ltd dated 28th October 2020 suggests that measures can be taken to mitigate noise and therefore reduce the impact of events to an acceptable level.

Weddings: It is proposed that there will be a maximum of 12 weddings per year with only 6 in the summer months June to August. The applicants have agreed that events will only provide entertainment using acoustic instruments (but no acoustic drums) and through provision of background music. Events will finish by 23:00 hours.

The acoustic report has identified that this venue is not suitable for entertainment to be provided by live bands playing amplified music, or the use of subwoofers. A maximum music level of 76dB(A) LAeq, 1 min to be played inside the barn has been recommended and should be conditioned through inclusion in a suitable Noise Management Plan. It should be

noted that this music level is far below what would normally be considered acceptable by wedding clients, and the applicant should be aware that the music may not provide a satisfactory experience for guests.

In addition, I would like to highlight that the acoustic consultant has compared likely event noise with background noise measured as a 16 hour LAeq rather than using a LA90 measurement which would give a lower sound level. It is therefore possible that the consultant has underestimated the effect of noise on residents likely to be generated by events.

The acoustic report has made various assumptions regarding customer noise when predicting the impact on amenity. Weddings will cater for up to 100 guests who will use both inside and outside areas at the venue. This number of people at a celebration event where alcohol is served is likely to generate significant noise from activities such as loud talking, singing, shouting and laughter. The acoustic report has used computer software to predict the impact on noise sensitive receptors (NSR) of music and customer noise during weddings and has concluded there will be no significant adverse effect. It is worth noting however that customer noise is very difficult to accurately predict, and that the consultant has had to make assumptions regarding the noise likely to be generated by guests attending the wedding.

**Culinary events:** These will be held mainly on weekday evenings, for a maximum of 100 guests and will finish by 23:00 hours. Background music will be played for guests eating either inside the barn or in the courtyard depending upon the weather. Computer software has again been used to predict the impact of music and customer noise on NSR and concluded that this will be low however, similar assumptions regarding customer noise have been made.

**Care events:** These events will only take place on weekdays during the day and will involve no more than 30 individuals. The consultant has again predicted that there will be little impact on NSR due to these events however, noise likely from children engaged in activities is difficult to predict with any certainty and can be difficult to control.

**Traffic noise:** The venue has parking for 30 vehicles. Given up to 100 guests could be expected at weddings and culinary events, the consultant has assumed additional arrivals via taxis could create an extra 20 traffic movements. The submitted acoustic report demonstrates that traffic noise measured in a worst-case scenario of 50 vehicles all leaving the site within an hour, would not breach the World Health Organisation guidelines, and would be well below background levels as measured as an LAeq measured over 16 hours. However, this does not take in to account the individual noise disturbance of each passing vehicle. Up to 50 vehicles on a normally quiet, country lane, passing by a rural property after 23:00 hours over a short period of time, will almost inevitably have an impact the occupiers. Available mitigation is limited, but the effect could be reduced (not eliminated) by use of collective transport, for example for a minibus to deliver and collect guests from the venue. This option could form part of a Noise Management Plan for this venue.

## Summary

It is almost inevitable that residents living near to the venue will suffer some degree of disturbance if this permission is granted. However, with the mitigation measures outlined in the acoustic report, put into place, the degree of disturbance can be reduced, particularly the music noise. Customer noise and traffic noise are harder to deal with.

If permission is granted for this development, I would recommend that conditions are used to minimise the potential disturbance as much as possible. The noise management condition below could be used to control noise levels by detailing suitable noise protection measures.

Conditions:

Construction hours: Works of construction, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

- Monday to Friday: 08:00 - 18:00 hours
- Saturday: 09:00 - 13:00 hours
- Sundays and Bank/Public Holidays: No work permitted.

Deliveries (construction phase): Deliveries or collection of plant, equipment or materials for use during the construction phases shall be limited to the following times:

- Monday to Friday: 08:00 - 18:00 hours
- Saturdays: 09:00 - 13:00 hours
- Sundays and Bank/Public Holidays: None permitted.

Hours of use: The barns and courtyard for events hereby permitted shall not be in operation other than between the hours of 09:00 and 23:00, Monday to Sunday.

Operation: The venue hereby permitted shall be limited to holding 12 weddings per year, and only 6 weddings will be permitted during the period June to August.

Deliveries and collections (operational phase): No deliveries or collections of commercial goods or waste shall occur outside the following hours:

- Mon to Fri: 08:00 to 18:00 hours
- Sat: 08:00 to 13:00 hours
- Sundays/bank holidays: None permitted

Plant & Machinery: The noise rating level of any operational ventilation, refrigeration units, air conditioning plant or machinery to the premises hereby permitted shall be at least 5 dB below the existing background noise level (LA90,T) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014.

If requested by the Local Planning Authority, an assessment shall be carried out with the plant/machinery operating at its maximum setting. To demonstrate compliance, evidence in the form of a report produced by a suitably qualified acoustic consultant shall be submitted to and approved by the Local Planning Authority.

Odour: The development hereby permitted shall not be brought into use as a catering establishment until a scheme for the installation of equipment to control the emission of fumes and odour from the premises has been submitted to and approved in writing by the Local Planning Authority, and the scheme as approved has been implemented. The submitted odour control scheme shall be in accordance with current best practice and shall include an odour risk assessment, as well as a maintenance and monitoring schedule for the odour control system, to ensure adequate control of odours, to align with the manufacturer's instructions.

Noise management: The development shall not be brought into operation until a suitable Noise Management Plan (NMP) for the commercial units, has been submitted to and approved in writing by the Local Planning Authority. This NMP shall include (but shall not be limited to) noise mitigation measures recommended on page 24 of the acoustic report submitted by Acoustic Associates Sussex Ltd.

The Noise Management Plan as approved by Environmental Health will be in place prior to the first event, and at all times the premises are open the Responsible Person will monitor sound and, if required, adjust the sound output which is under their full control by reducing it below the set agreed sound level.

The Noise Management Plan shall be implemented in full on occupation and complied with thereafter unless otherwise agreed in writing by the Local Planning Authority.

The Noise Management Plan shall be reviewed annually, if changes are made to the site and/or upon receipt of noise complaints.

Informative:

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.

Having planning permission in place is no defence against a statutory noise nuisance being caused or allowed to occur. Should the department receive a complaint, we are required to investigate under the provisions of the Environmental Protection Act 1990 and must take formal action where a statutory noise nuisance is in existence.

## **MSDC Drainage**

### **SURFACE WATER DRAINAGE**

The BGS infiltration potential map shows the site to be in an area with moderate infiltration potential. The application is supported by a Foul & SuDS Drainage Assessment which confirms the site has poor infiltration potential.

It is proposed that the development will utilise permeable paving to provide attenuation before discharging surface water into the watercourse at 2l/s. The drainage system is proposed to be designed to cater for the 1 in 100-year storm event with 40% allowance for climate change.

The application has shown that, in principle, surface water drainage can be managed on site. We would advise that the development is considered a change of use with a minor extension and as such is not considered new build in terms of drainage.

The proposed drainage system is considered acceptable subject to detailed design. The details of the drainage system can be managed via Building Control.

### **FOUL WATER DRAINAGE**

It is proposed that the development will manage foul water drainage via a new package treatment plant with an outfall to the watercourse. Due to the commercial kitchen a grease separator shall be utilised prior to foul drainage entering the package treatment plant.

The principle of foul water drainage is considered acceptable. Given this application is a change of use we would advise that the detailed design can be managed via Building control.

We would, however, advise the applicant that the proposed foul drainage system should meet with the Environment Agency's General Binding Rules for non-mains drainage otherwise an Environmental Permit will be required.

## **WSCC FRS Water and Access**

This proposal has been considered by means of desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC mapping and Fire and Rescue Service information. A site visit can be arranged on request.

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

1) Prior to the commencement of the development details showing the proposed location of [1] one fire hydrant or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. These approvals shall not be unreasonably withheld or delayed.

2) Prior to the first occupation of any dwelling/unit forming part of the proposed development that they will at their own expense install the fire hydrant (or in a phased programme if a large development) in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

As part of the Building Regulations 2004, adequate access for firefighting vehicles and equipment from the public highway must be available and may require additional works on or off site, particularly in very large developments. (BS5588 Part B 5) for further information please contact the Fire and Rescue Service

If a requirement for additional water supply is identified by the Fire and Rescue Service and is subsequently not supplied, there is an increased risk for the Service to control a potential fire. It is therefore recommended that the hydrant condition is implemented.

*Reason: In the interests of amenity and in accordance with Mid Sussex District Plan (2014 - 2031) Key Policies DP18 and DP19 and in accordance with The Fire & Rescue Service Act 2004.*

## **Trees and Landscape Officer**

I have reviewed the AIA (10/5/21) / AMS (10/5/21) / TPP (10/5/21) / Proposed Landscape Design (PL\_00\_120- rev 02) / Design and Access Statement / Drainage Assessment AIA, AMS (10/5/21) / TPP (10/5/21) / Proposed Landscape Design (PL\_00\_120- rev 02) / Design and Access Statement / Drainage Assessment documents.

Comments:

- The development requires the removal of 6 trees (including 1 x group cat B willow/ 1 x cat C/ 4 x cat U). All trees are of low amenity value and it is accepted that the loss of these trees can be mitigated by the replanting of good quality native trees.
- Incursions into RPAs - The report has given detailed and precise information on the impact the development is likely to have on the RPAs of the impacted trees. The incursions are mainly due to the allocated parking spaces, the access track and maintenance of the current buildings. The mitigation and protection measure detailed are

suitable given the proposed (acceptable) incursions. However, it is requested the following points are checked to ensure they reflect the most current proposals and the reports should be updated accordingly if necessary:

- Allocation of parking spaces (see below)
- Routing of services within the RPA of trees (see below)
- Widening of the access track (see below)
- The protection details shown on the TPP are suitable, however the plan particularly in respect of parking spaces does not appear to match the layout shown on the proposed landscape design - please can this be checked and all arboricultural documents be amended accordingly where necessary.
- I believe a wider entrance to the site is proposed to fulfil Highways regulations. If this is the case, please check the reports fully reflect this.
- Details regarding the routing of services is limited within the report. Section 7.5 (and 8.3) refers to 'the use of existing services; and if there is a need for any installation within RPAs this shall be planned to avoid any retained trees RPA'. Given the extension to the north of the main barn is for toilets and it sits within the RPA of T4 (category A oak) please can we have confirmation that no further service routes are to be laid to facilitate this or if they are the impact on any trees along with protection measures (reports should be updated if applicable).
- The resurfacing on site particularly within the RPAs which is to take place at the final landscaping phase of development is considered a sensible option allowing the current surfacing to act as ground protection during construction and avoid damage and relaying of a new surface.

Based on the current details I would be unlikely to object to the proposed development on arboricultural grounds, however I cannot formally confirm this until the points raised above are fully clarified.