

Planning, Design & Access Statement

**Part Retrospective, Part Full Planning Application for the Partial
Retention and Alterations to a Hard Surface and Delivery of Associated
Landscaping**

Burleigh Oaks Stables, East Street, Turners Hill, West Sussex

Prepared for:

Mr Hill-Upperton

Prepared by:

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1. INTRODUCTION

- 1.1. We are instructed by Mr Hill-Upperton to submit a part retrospective, part proposed development for the retention and alterations of a hard surface at Burleigh Oaks Stables, East Street, Turners Hill, West Sussex. The application site is an agricultural holding located along a private roadway
- 1.2. The submission relates to an un-consented hard surface located to the bottom of a small farmyard. The surface was installed in Spring 2024 for the stationing of a mobile home - which is to be used in association with the agricultural use of the land. Whilst the Local Planning Authority (LPA) have confirmed that the stationing of a mobile home for agricultural use does not require consent, the formation of a hard surface requires consent.
- 1.3. As a result of this an application for the retention of the mobile home was withdrawn with the LPA's agreement and the applicant agreed to seek a part retrospective consent for the retention of some of the existing hard surface and the removal of other areas, with the express aim of leaving a smaller and more contained surface at the site. As a result, the current proposal would be around 62 sq.m smaller than the current surface.
- 1.4. As part of this submission, the applicant is seeking to retain a portion of this existing surface, install some small new areas and then remove a large part of the rear of the surface and replace this with soft landscaping. The proposal will result in a smaller and more contained hard surface that will be better related to an existing access track and a number of agricultural buildings. It will result in the more remote parts of the hard surfacing being removed removed and located closer to existing building. The development will then be screened by landscape planted.
- 1.5. The application is submitted with the following plans and documents:
 - Combined Location & Plan Plan, Drawing No. 22046-PL-108;
 - Existing Site Plan, Drawing No. 22046-PL-106;
 - Existing Site Plan, Drawing No. 22046-PL-107 Rev C; and
 - CIL Forms.
- 1.6. This Statement sets out relevant planning policy, planning history, and assesses the scheme in accordance with the requirements of the Development Plan and other material considerations, including the National Planning Policy Framework (NPPF). It has been prepared having regard to the Town & Country Planning (Development Management Procedure) (England) (Amendment) Order 2018 and guidance contained within the Planning Policy Guidance (PPG).

2. SITE AND SURROUNDINGS

- 2.1. The application site is located to the north of East Street, along a private road. The main access junction is shared with the local waste and recycling centre. On entering this site, there is a spur road to the south and this runs parallel to the main road into the recycling centre. This gives access to the application site and some dwellings.

- 2.2. The application site is located at the end of this roadway. A footpath crosses, east to west to the south of the application site. There is an existing vehicular entrance into one corner of the site, and this is flanked by an existing timber clad, pitched roof agricultural building to the immediate west.
- 2.3. The southern boundary of the site then runs parallel to the footpath, although it is screened by hedged and overhanging trees. The southern part of the site is set on higher ground than an access track that runs eastwards into the site. The higher ground includes two agricultural buildings and a concrete surface. The track runs to the north of this raised land and eastward to an area of flat ground. This flat ground comprises the application site and is formed by a rough surfaced ground, earth banks to the south and west, trees and hedging to the east and open farmland to the north.
- 2.4. The farmland to north falls away quite steeply. It has well landscaped boundaries. There is a neighbouring dwelling located to the north west on lower ground. This has landscaped boundaries. The recycling centre access road encloses the site, on higher ground to the east and leads into the recycling centre which is located to the north west of the site.
- 2.5. The whole of the site is relatively private and there are limited public views into the farm.

3. PLANNING POLICY

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act and section 70(2) of the Town and County Planning Act 1990 require that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.2. The Development Plan for the purposes of the determination of this application comprises the Mid Sussex District Plan 2014-2031 (adopted 2018), Mid Sussex Site Allocations Development Plan Document (DPD) (adopted 2022) and Turners Hill Neighbourhood Plan 2014-2031 (THNP) (adopted March 2016). Material considerations include the National Planning Policy Framework (NPPF) and the Planning Practice Guide (PPG).

4. NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 4.1. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The revised version of the NPPF was released in December 2024. For the purposes of this application, the following paragraphs and chapters are considered relevant to the proposal.
- 4.2. Paragraph 7 sets out that the purpose of the the planning system is to contribute to the achievement of sustainable development, which is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 4.3. Paragraph 8 sets out that achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways.
- 4.4. Paragraph 10 states that so sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

- 4.5. Paragraph 11 states that *“plans and decisions should apply a presumption in favour of sustainable development.” for decision taking this means:*
- *c) approving development proposals that accord with an up-to-date development plan without delay; or*
 - *d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - *i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
 - *ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”*
- 4.6. Paragraph 38 confirms that, *“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.”*
- 4.7. Paragraph 48 states that, *“planning law requires applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. It notes that decisions should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.”*
- 4.8. Section 6 sets out policies for building a strong, competitive economy.
- 4.9. Paragraph 85 states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 4.10. Paragraph 88 relates to supporting a prosperous rural economy and states that planning policies and decisions should enable, amongst other things:
- The sustainable growth and expansion of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings;
 - The development and diversification of agricultural and other land based rural businesses.
- 4.11. Paragraph 89 notes that 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. It notes that in these circumstances, it will be important to ensure 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.

5. MID SUSSEX LOCAL PLAN

- 5.1. The Mid Sussex District Plan (MSDP) was adopted in March 2018, and seeks to guide development up to 2031.
- 5.2. Policy DP1 relates to sustainable economic development and sets out that the total number of additional jobs required within the district over the Plan period is estimated to be an average of 543 jobs per annum. It sets out this will be achieved by a range of measures that include 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, and encouraging inward investment.
- 5.3. It states that effective use of employment land and premises will be made, by amongst other things, permitting the appropriate intensification, conversion, redevelopment and/or extension for employment uses providing it is in accordance with other policies in the Plan.
- 5.4. Policy DP12 states that the countryside will be protected in recognition of its intrinsic character and beauty. It notes that development in such areas will be permitted, provided it maintains and where possible enhances the quality of the rural landscape and character of the district and is necessary for the purposes of agriculture or is supported by a specific policy reference elsewhere in a Development Plan Document (DPD).
- 5.5. Policy DP14 sets out support for sustainable rural development and the rural economy. It notes that provided it is not in conflict with Policy DP12 (Protection and Enhancement of the Countryside) and DP13 (Preventing Coalescence), new small scale economic development within the countryside will be permitted, provided it supports sustainable growth and the vitality of the rural economy and, where possible, utilises previously developed sites.
- 5.6. Policy DP26 relates to character and design. It notes that all development and surrounding spaces should be well-designed and reflect the distinctive character of built areas while being sensitive to the countryside.

6. THE MID SUSSEX SITE ALLOCATIONS DPD

- 6.1. The Mid Sussex Site Allocations DPD was adopted in June 2022. It is a ‘daughter’ document to support the MSDP. It principally seeks to allocate land for residential and commercial development over the remainder of the Plan period up to 2031. It also contains a number of development management policies, however, none of them are relevant to this submission.

7. TURNERS HILL NEIGHBOURHOOD PLAN

- 7.1. The Turners Hill Neighbourhood Plan (THNP) was adopted in 2016 and covers the whole the parish. It contains parish level policies, which are applicable to many developments submitted.

7.2. Policy THP8 - Countryside Protection. This relates to land outside the Built up Area Boundary. It confirms that priority will be given to protecting and enhancing the countryside from inappropriate development. A proposal for development will only be permitted where:

- b) It must not have a detrimental impact on, and would enhance, areas of substantial landscape value or sensitivity, and
- c) It must not have an adverse impact on the landscape setting of Turners Hill and
- d) It must maintain the distinctive views of the surrounding countryside from public vantage points within, and adjacent to, the built up area;
- f) It is essential to meet specific necessary utility infrastructure needs and no alternative feasible site is available

8. PROPOSED DEVELOPMENT

- 8.1. The application site is located within the agricultural holding known as Burleigh Oak Stables. The site is located at the eastern side of an access track and is a relatively flat and open piece of land. At present, much of this space is surfaced with a rough crushed material, that has be laid across much of the space.
- 8.2. As part of the submission, this existing surface, where it is located to the east and north east of the flat ground, will be lifted. A smaller and more contained area of hard surface will be retained. The proposal will result in the current 319 sq.m of hard surface being reduced down to 257 sq.m.
- 8.3. The retained surface will be set adjacent to existing raised banks to the west and south of the flat ground. The outer eastern side will be curved. Beyond this curved outer limit, all other existing hard surfacing will be removed if the scheme is approved. It will be replaced with new landscaping, including grasses, hedging and tress.
- 8.4. The surface will be used for the stationing of a mobile home and has been designed, so that the mobile home can be pivoted and turned on site. Likewise, there is space for the mobile home to be hitched on to a trailer and towed offsite.
- 8.5. The surface will remain comprised of crushed inert materials, such as brick and stone, but this will be smaller than the surface that currently exists.

9. PLANNING CONSIDERATIONS

- 9.1. In the assessment of this application, it is considered that the main issues are:
- Principle of development;
 - Impact on the Countryside;
 - Layout & location;
 - Design;
 - Landscaping; and

- Access.

Principle Of Development

- 9.2. The application site is in agricultural use and this is a type of use that is anticipated in a rural location. Whilst the site is beyond the development boundary, and therefore subject to policies of countryside restraint, it is nevertheless an existing use which is strongly associated within a real landscape. Given that the use requires a countryside location, so there must be a fair expectation that developments which facilitate this use, should be acceptable, in principle, subject to wider considerations about impact and design.
- 9.3. Whilst the holding is small and the activities are comparably low, there remains a positive economic benefit of facilitating a rural enterprise to develop at this site. The LPA have positively supported a recent application at the site for a new building. Given this, there is clearly an understanding that for this rural enterprise to flourish, there is a need for some development and change to take place at the site. This has both economic benefits and retains an active use at the site.
- 9.4. There is a positive support at both the local level and within national guidance for sustainable rural economic development. Whilst this is a very minor development, the benefit that it would bring to the site is important. As outlined to the LPA on withdrawn application, DM/24/1931, the surface is required for the stationing of a mobile home. The stationing does not require consent provided the use is agricultural. As outlined on the withdrawn application the mobile home is to provide appropriate welfare facilities to be used on site for employees of the business. This includes hygienic hand washing facilities, toilets, overnight accommodation when is necessary for aiding the agricultural operations and seating for meals outside of the rain. Given the benefits to the business that this would create, so there is a need for a surface for the mobile home it to be stationed upon.
- 9.5. The hard surface allows the mobile home to be stationed safely and without the risk of it becoming bogged down, or immobile. The surface allows the mobile home to pivot on site and be moved, which is necessary for the mobile home to maintain its status as a chattel. Likewise, there needs to be space of it to get hitched to a vehicle or placed on a flatbed.
- 9.6. Given this, the surface is an important component of the site and one, which is unobtrusive and would be understood within the context of a working small-holding. The applicant submits that the works would accord with the principle of sustainable economic rural development and comply with policies DP1, DP12 & DP14 of the Local Plan. The principle of the scheme is clearly acceptable, subject to considerations relating to the countryside, layout, design and landscaping.

Impact On The Countryside

- 9.7. The application site is located outside of the development boundary for Turners Hill and is in a countryside location. It is therefore subject to policies of rural constraint, albeit the agricultural use is one that needs a rural location and is intrinsically linked to the countryside. Whilst the site is largely private and the southern boundary developed with other agricultural buildings, it is reasonable to assess the impact of the proposal on the character and appearance of the countryside.

- 9.8. The location of the hard surface is at a low point within the site, and there are no public view of this possible from the entrance or from the footpath to the south. The site is well screened and contained. As a flat surface that follows the contours of the ground, so the proposal is unobtrusive and low impact on its immediate surroundings and setting.
- 9.9. To consider this further the applicant has had regard to THNP Policy, THP8. This seeks to protect the countryside from unacceptable development. It confirms that a proposal will only be permitted where it complies with the policy.
- 9.10. Having regards to the policy, which is quoted above, the applicants submits the proposal accord with sections, b), c), d) and f). The proposal is very small scale and would have no detrimental impact on local landscape value nor sensitivity. It is screened and forms a minor part of a working farm holding.
- 9.11. The site is set a good distance from the edge of Turners Hill and would have no impact on the setting of the village. There are no important local views or public vantage points which provide a view of the site. Finally, the works are required for specific infrastructure need at the site and cannot be delivered elsewhere on the site. As there is no preferable location for the surface - which is to be landscaped and reduced in sized from its current scale, so it is clear the proposal complies with the relevant parts of TPH8.
- 9.12. Beyond this, the proposal is also consistent with Policies DP12, 13 & 14 and Paragraph 84 of the NPPF. Given this, the proposal is acceptable in respect of its countryside impacts.

Layout & Location

- 9.13. When the current surface was installed, the location was chosen as the ground was relatively flat and adjacent to the end of a recently restored access track. It was therefore an obvious location for a surface. The applicant was unaware that the works required planning permission and under the withdrawn application (DM/24/1931) and this submission they are seeking to regularise the development in a smaller and more contained form.
- 9.14. The current extent of hard surfacing is to be reduced, with the eastern and north eastern corner to be removed and this land restored to soft landscaping. This will have the affect of containing the location of the development to the southern western areas of the the flat ground. This part of the site is surrounded by raised banks, existing buildings and overhanging trees. It is also proposed that the banks and slopes are to be landscaped.
- 9.15. The location is the obvious choice for the intended uses and occupies a discreet position within the site. There is nothing about the location which is unacceptable and the reduction in the expanse of the surface and its containment closer to the rest of the yard, should be welcomed by Officers as an improvement on the current layout..

Design

- 9.16. The surface has been designed to ensure that a mobile home can pivot on the surface and that there is space to get a vehicle on to the land, for its removal/relocation. This accounts for the arced outer-edge of the surface to allows some mobility space for the mobile home which will be

stationed there. This has been designed to be as small as possible, whilst allowing for the mobile home to be removed from the site.

- 9.17. The existing surface is comprised of various crushed inert materials such as bricks and stone. This gives the ground a rough appearance, but was chosen as it allows greenery to come through and this will soften the appearance. This has already started to occur with the existing surface and it means the surface has a rugged and less uniform appearance than other types of hard surface. It is a utilitarian and working surface, that would be anticipated at a smallholding. This type of surface is also easy to maintain and repair when required.
- 9.18. The surface that is to be removed, will be scrapped back and the material moved to the areas sought under this consent. It is unlikely that further materials will be needed, but if they are, they will match that already used on site.
- 9.19. Once the surface is fixed as proposed, then the edges will be landscaped. Whilst this will be discussed below, it remains a key part of the design approach and confirms that the whole of the surface will be contained and softened.
- 9.20. The applicant submits that the design and appearance of the surface is appropriate for a working small-holding and will comply with policy DP26.

Landscaping

- 9.21. As touched upon above, as part of this submission, and following the advice of the LPA, efforts have been made to reduce the extent of the hard surface on site and ensure this is well related to existing development. To further this contained, the applicant has also sought to provide details of landscaping that is to be provided at the site.
- 9.22. The applicant has already started to plant an evergreen screen on the southern side of the surface on a raised bank. This is shown on the proposed plans, but there is more to be planted, subject to this application being approved. It includes conifers and budlia, along with a native hedge.
- 9.23. To the east of the surface is an existing tree and hedge belt which contains the wider site. The plan is therefore to plant some tall and lower height species to integrate the area into the surroundings. This includes, 2 English Oak, 3 English Walnut, a 200 plant native hedge row mix, 1 Honeylocust and 1 Acer. The ground would then be seeded with a grass, once the hard surface had been removed.
- 9.24. To the north and north east corner of the retained surface, the landscaping strategy here is different as the corner bridges the woodland belt and then open fields to the north. Here, the proposed landscaping includes, a 200 plant native hedge mix, 15 Silver Birch, 1 Field Maple, 1 Honeylocust and 1 Acer. Again, the surrounding area will be seeded to grass.
- 9.25. If the LPA seek to support the proposal, then the applicant suggests that a condition is imposed to provide them with 6 months to undertake the on site removal of hard surfacing that does not form part of this proposal, with photo evidence supplied. It is then suggested that a landscaping condition is imposed to firm up on the planting schedule provided as part of this application.

Access

- 9.26. The existing access into the site will remain unaltered as a result of the proposal. Likewise, there is an existing access track with the site, which is also unaffected by the proposal. As outlined above the surface has been designed to facilitate access by a vehicle to either hitch and tow, or load the mobile home on to a flat bed so that it can be removed from site, as required. Given this, there can be no objections arising from access issues relating to the scheme.

Summary

- 9.27. The application is very small scale and seeks to improve and refine an existing hard surface which does not benefit from consent. The application proposes a smaller and more contained surface that would have an improved appearance, reduced impact and would be delivered along with new areas of soft landscaping. This is clearly beneficial and a notable improvement on the current situation.
- 9.28. There is a reasonable agricultural need for the surface and the applicant has worked with their architect to ensure the design is contained and would remain an innocuous part of this working smallholding. As a result, the previous concerns raised by the Council have been addressed and the development can be shown to comply with relevant policy and guidance.
- 9.29. Given the above, the applicant submits that care has been taken to ensure that the Development Plan has been considered and onsite constraints assessed and dealt with sensitively. This policy compliant development complies with the Development Plan and will deliver against the three aims of sustainable development and guidance in the NPPF.