

Case Officer's Report of Recommended Action

Application No: WSCC/048/20

Local Council: Horsham District Council

Site Address: Land to the north of CDEW Screening Site, Thistleworth Farm, Grinders Lane, Dial Post, Horsham, RH13 8NR

Description of Development: Retrospective application for landfilling works

Relevant Planning History:

WSCC/009/20 - Change of use from agricultural land to a construction/demolition/excavation waste recycling facility. Approved 20/10/20

DC/14/2039 (Horsham District Council application) – Livestock Barn. Allowed on Appeal 24/09/15 - Ref: APP/Z3825/W/15/3033715).

Environmental Impact Assessment

The development falls within Part 11(b) of Schedule 2 to the EIA Regulations as it relates to an 'installation for the disposal of waste' and relates to a development area of more than 0.5 hectare. Accordingly, a Screening Opinion must be carried out to determine whether the development has the potential to result in 'significant environmental effects' which require an EIA'

Following submission of application, the County Planning Authority issued a Screening Opinion dated 10 February 2021 (ref WG20b), confirming its view that the development would not be considered to have the potential for significant effects on the environment within the meaning of the EIA Regulations 2017, and that no EIA is required.

Consultees and Comments:

Horsham District Council (HDC): No objection, subject to safeguards being secured in relation to comments made by HDC Environmental Protection, Landscape and Heritage officers.

HDC Environmental Protection Officer: Although sampling identifies the presence of some contaminants, there is no significant possibility of significant harm, and the land would not be unsuitable for agricultural use.

HDC Landscape Architect: No objection. Note the need to ensure roots of western boundary vegetation are protected and recommends additional planting is considered to the west and northern boundaries.

HDC Heritage: Negligible harm to the setting of Thistleworth Farm.

HDC Drainage: No objection. Note that Ordinary Watercourse Consent will be required for any discharge to the local watercourse.

West Grinstead Parish Council: No objection.

Environment Agency (EA): No objection. Advise an 'environmental deposit of waste permit' would normally be required for the works, but that was not sought. Note that is a permitting (not planning) issue, and a permit cannot be sought retrospectively. Sampling identifies the presence of elevated levels of contaminants above natural background levels, however, there is not a significant risk to groundwater.

Historic England: Do not consider it necessary for the application to be referred to them.

WSCC Highways: No objection. Note that most HGV trips have already taken place and there are no highway or safety capacity concerns subject to the same highways restrictions as detailed by planning application WSCC/009/20 (CMP/Wheel Washing/Routing Agreement).

WSCC Archaeology: No objection. No mitigation measures necessary.

WSCC Ecology: No objection. Support WSCC Tree Officer comments and recommend a condition to secure a planting and maintenance scheme.

WSCC Tree Officer: No objection subject to landscaping and maintenance condition. Provides detailed comments regarding potential impacts on root protection areas of adjacent trees and recommendations for native planting along western boundary.

WSCC Drainage & Flood Risk: No objection subject to conditions to secure verification of the drainage system operating effectively following completion.

WSCC Public Rights of Way: No objection. Public Footpath 1859 crosses the application site and the impact of development upon the public use, enjoyment and amenity of the PROW must be considered by the planning authority. The proposed PROW steps meet the requirements of the PROW standard design and are welcomed. It is noted that no new structures, such as fences, gates or stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team.

County Councillor (Lionel Barnard): No comments received

Representations:

None received.

Site and Surroundings:

The application site is located on agricultural land west of Thistleworth Farm immediately to the east of the A24, in a countryside location, some 200m to the south-east of Dial Post.

The application site occupies an area of some 0.7 hectares, the area of which land raising/reprofiling is some 0.5 hectares sandwiched between the A24 and a large grassed bund created as part of the construction of the A24. This site includes an existing formalised access from Grinders Lane immediately adjacent

to the A24 (which serves the adjacent construction/demolition/excavation waste recycling facility) and follows the southern and eastern boundary of the wider agricultural land.

Historic aerial photography indicates the site agricultural land consisting a mixture of the large grassed bund and a narrow strip of level land sandwiched between that and the A24. However, the levels at the site have been raised and reprofiled through the import of materials, for which retrospective permission is now sought.

The access to the site is in part is shared with a public footpath. A further public footpath (FP1859) crosses the site, running between Thistleworth Farm and the A24, over the bund and across the area where levels have been raised.

To the east, the track along the eastern boundary leads to a levelled hardcore surface, understood to form the foundation a part implemented agricultural barn (DC/14/2039). On neighbouring land is a group of agricultural style buildings including a barn and mobile home which previously has been granted planning permission for residential conversion. Alongside this is Thistleworth Farm which includes the Grade II Listed Thistleworth Farmhouse.

To the west, the site shares a boundary with the A24, demarked by a low fence and mature vegetation/trees of a considerable height. To the north is agricultural land which also includes the remainder of the bund created as part of the A24 construction. Immediately to the south of the raised area is a construction/demolition/excavation waste recycling facility recently granted planning permission (WSSC/009/20).

The application site is outside of the built-up area defined in the Horsham District Planning Framework and so is 'countryside'. It is not within an area designated for landscape, heritage or ecological reasons. However, it falls in relatively close proximity to the Grade II Listed Thistleworth Farmhouse. The site is in not within an identified flood risk zone.

Background/Proposal:

Retrospective planning permission is sought for land raising activities at Thistleworth Farm. The works are understood to have commenced in Spring 2017 and came to the attention of the County Planning Authority in February 2020. The applicant advises that land has been raised by a maximum of some 3m through the import and deposition of some 13,000m³ of inert waste/materials/soils arising from both; excavations associated with the formation of foundations the neighbouring agricultural barn (in the order of 4500m³); and materials processed at the neighbouring inert waste recycling facility (in the order of 8500m³).

The applicant advises the purpose of the land raising is to create a more natural landform and improve the agricultural suitability of the land through improved drainage and more manageable contours.

The works are substantively complete, having been top-soiled seeded in mid-late 2020. However, the development also includes the provision of a footpath steps, stockproof fencing/gates, and additional planting.

Relevant Planning Policies

West Sussex Waste Local Plan (2014)

- Policy W8 - Recovery Operations involving the Depositing of Inert Waste to Land
- Policy W9 – Disposal of Waste to Land
- Policy W11 – Character
- Policy W12 – High Quality Developments
- Policy W14 – Biodiversity and Geodiversity
- Policy W15 – Historic Environment
- Policy W16 – Air, Soil and Water
- Policy W17 - Flooding
- Policy W18 - Transport
- Policy W19 – Public Health and Amenity
- Policy W20 – Restoration and Aftercare
- Policy W21 – Cumulative Impact

Horsham District Planning Framework 2015

- Policy 1 - Sustainable Development
- Policy 10 - Rural Economic Development
- Policy 24 - Environmental Protection
- Policy 25 - Natural Environment and Landscape Character
- Policy 26 - Countryside Protection
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - The Quality of New Development
- Policy 33 - Development Principles
- Policy 34 - Cultural and Heritage Assets
- Policy 38 - Flooding
- Policy 40 - Sustainable Transport

National Planning Policy Framework (2019)

- Paragraphs 11 - Presumption in favour of sustainable development.
- Paragraph 54 -56 –Planning conditions and obligations.
- Paragraph 108 – Impacts on transport networks and securing safe and suitable access.
- Paragraph 127 – Development should be of high quality and sympathetic to the local character and history.
- Paragraph 163 – Development should not increase flood risk elsewhere.
- Paragraph 170 – Development to contribute to and enhance the natural and local environment including the countryside, providing net gains for biodiversity, and preventing unacceptable pollution.
- Paragraph 180 – ensuring new development appropriate for location taking into account impact of pollution on health and the environment.

- Paragraph 183 - assuming pollution control regimes operate effectively.
- Paragraph 189 – Heritage assets.

National Planning Policy for Waste (2014)

Paragraph 7 of the National Planning Policy for Waste (NPPW) relates to determining waste planning applications. In summary sections of key relevance to this application:

- *"Consider the likely impact on the local environment and amenity against the locational criteria set out in Appendix B (see below); and*
- *Ensure that facilities are well-designed, contributing positively to the character and quality of the area; and*
- *Concern themselves with implementing the strategy in the Local Plan and not control of processes which are a matter for pollution control authorities, on the assumption that such regimes are properly applied and enforced."*

Appendix B to the NPPW sets out locational criteria for testing the suitability of sites, namely the protection of water quality and resources and flood risk management; land instability; landscape and visual impacts; nature conservation; conserving the historic environment; traffic and access; air emissions including dust; odours; vermin and birds; noise, light and vibration; litter; and potential land conflict.

Main Material Considerations

The main considerations in relation to this application whether the development is:

- acceptable with regard to waste planning policy; and
- acceptable with regard to impacts on landscape/character.

Acceptable with regard to Waste Planning Policy

Policy W8 of the West Sussex Waste Local (WLP) supports recovery operations involving the deposition of inert waste to land where they meet various criteria. For the land raising activities to be considered a genuine recovery operation, and thus acceptable in principle in accordance with Policy W8, these criterion must be satisfied. Consideration of each of these is set out below.

(a) the proposal results in clear benefits for the site and, where possible, the wider area.

The applicant considers land raising is required to create a more natural landform and improve the agricultural suitability of the land. It is stated that the landform would protect the flat meadow area from road noise, enhance amenity for residents to the east, and address waterlogging/steep slope issues which make it of poor suitability for agricultural machinery and livestock.

A supporting Agricultural Statement identifies the area as low lying with clay soils known for waterlogging/poor fertility, and not easily manageable (as evidenced by adjoining land not having been in agricultural production for many years). It notes that without the improvement carried out, the limited size of the site, and steep contours are such that it would be of limited agricultural use. Overall, it concludes that the works carried out include better draining fine materials, and that the profile and final seeding should ensure the land will be well drained and able to support the grazing of livestock all year round, crucial for a small unit to be of beneficial agricultural use.

The development results in a level plateau to the north of the site, and some limited reduction in slope severity across the site. Overall, the revised topography may result in some agricultural benefit, albeit limited in its extent. However, the development would result in improved drainage of the site, improved topsoil, and thus improved arable/grazing conditions. As a result, the development would result in a clear agricultural benefit.

No evidence is provided to demonstrate any improvement in the noise environment for the site or neighbouring residents, albeit the A24 bund at the height sought could have some screening effect.

In terms of landscape, as noted later in this report, the development would not give rise to any landscape harm and proposed further planting would improve ecological/landscape connectivity. On balance this is also considered a benefit.

Overall, the development would result in agricultural and landscape/biodiversity benefit.

(b) the material to be used is only residual waste following recycling and/or recovery or it is a waste that cannot be recycled or treated.

See (d) below also. The imported materials comprise inert waste/materials/soils arising from both; excavations associated with the formation of foundations the neighbouring agricultural barn (in the order of 4500m³); and materials processed at the neighbouring inert waste recycling facility (in the order of 8500m³).

(c) there is a genuine need to use the waste material as a substitute for a non-waste material that would otherwise have to be used.

The development would make use of inert waste and materials rather than 'virgin' soils to create the landform and improve agricultural suitability.

(d) the material to be reused is suitable for its intended use.

The applicant asserts that only clean and screened inert waste and materials/subsoils/topsoil have been used. Further, it noted that some materials originate from excavations within the same agricultural unit (that would not

typically be considered waste). Such materials are typical of land raising, engineering projects and agricultural improvements. The supporting Agricultural Supporting Statement notes that upper layers include fine soils/gravel and porous materials, which are suitable to improve drainage and to support seeding for agricultural after use.

Deposition of waste materials would ordinarily be subject to the Environmental Permitting/Exemption regime (as regulated by the Environment Agency) which seeks to ensure impacts from potentially harmful substances are minimised to an acceptable level. However, given the works have already been carried out without such a permit in place (and which cannot be sought retrospectively), the typical safeguards ensured by this process have not been in place. This results in an increased potential for the site to contain contaminated materials and thus the risk of pollution.

The applicant has retrospectively submitted a Materials Sampling/Analysis Report, which identifies the presence of some contaminants within the deposited materials. However, the Horsham District Council Environmental Protection Officer has not raised any objection to the development, concluding; there is no significant possibility for significant harm, and no evidence to suggest the land would not be suitable for the proposed agricultural use. Further, the Environment Agency have not raised any objection to the development concluding that; although contamination above natural background levels is present, there is not a significant risk to groundwater.

Based on the above, there is no evidence to suggest the materials are not suitable for the intended use.

(e) the amount of waste material to be used is no more than is necessary to deliver the benefits identified under (a).

The development involves the importation of some 13,000m³ (19,500 tonnes) of inert waste/materials/soils resulting in deposition depths ranging between 0.2m and 3m in depth.

It is questionable whether a 'lesser' landform would result in reduced slopes that would achieve the agricultural benefits sought, however, final contours/sections do show a modest overall change in slope severity and would result in a level plateau at the northern end of the site.

In terms of achieving a more naturalistic landscape, the final profiles are arguably no more naturalistic when compared with the original landform. Also, as noted under (a) above, no evidence has been provided to demonstrate any improvement in the noise environment that would require the height/volume of materials required for the additional roadside bund.

Nonetheless, the new roadside bund would inevitably offer some screening effect from the A24, and at the height/volume proposed would form a continuation of an existing roadside bund, so of some landscape continuity.

It is accepted that, overall, the development would result in agricultural and landscape/ecological connectivity benefit, in particular with raised levels reducing the potential for waterlogging and allowing for additional depth of soils for agricultural use. Overall, whilst there is some uncertainty, on balance it is not considered that the amount of waste material used is excessive.

(f) there would be no unacceptable impact on natural resources and other environmental constraints.

The development has the potential to have detrimental effects on the environment and natural resources. As noted under (d) above, although there is evidence of low levels of contamination within imported materials there is no evidence to suggest significant risk of pollution. Whilst not determinative, it is also of note that should pollution be identified in the future, the landowner would be responsible for any remediation under the environmental protection/contaminated land regimes. Neither the Environment Agency nor Environmental Protection Officer raise an objection to the development.

The proposed drainage strategy includes the use of a balancing pond and controlled discharge into the adjacent ditch (which will also serve the neighbouring waste recycling facility). Both the Horsham District Council drainage advisor and WSCC Drainage and Flood Risk engineer are satisfied that the drainage proposals are adequate and would not result in any increased flood risk. Drainage provision will be secured by condition.

The site is agricultural in nature and not within an area designated for ecological reasons. The WSCC Ecologist raises no objection to the development.

On its western side the site is bounded by mature trees/vegetation which line the A24. In places materials have been deposited near these trees. The WSCC Tree Officer raises no objection to the development, however, seeks a condition to secure supplementary native planting alongside this boundary, as 'insurance' against any potential adverse effect which could from the deposit materials in root protection areas. The applicant has provided some outline details of this, however, a detailed scheme including planting specifications will be secured by condition.

The site falls near to the Grade II Listed Thistleworth Farmhouse. Given the use of the site would remain agriculture, and the context of the large A24 bund which characterises the landscape, the development would not cause harm or loss of significance of the setting of the Grade II Listed features. The Horsham District Council Conservation Officer and County Archaeologist raise no objection.

(g) the proposal accords with Policy W13 (Protected Landscapes)

The site is not within or near a Protected Landscape.

(h) any important mineral reserves would not be sterilised

The application site is within the Brick Clay safeguarding area (which covers large areas of the County). However, the constrained nature of the site is such that any mineral would unlikely be economically or practicably extractable or present in any volume. Accordingly, it is not considered that there would be any unacceptable sterilisation of mineral reserves.

(i) restoration of the site to a high quality standard would take place in accordance with Policy W20.

In terms of impacts on the landscape/character that Policy W20 seeks to protect, as discussed later in this report, the development is considered acceptable.

Overall, the WLP supports recovery operations involving the deposition of inert waste to land where it would meet various criterion. Although it is questionable whether a lesser amount of waste could achieve the identified benefits, on balance the development is considered to represent a genuine 'recovery' operation that provides for the movement of waste up the waste hierarchy, in accordance the West Sussex Waste Local Plan (2014) and National Planning Policy for Waste (2014).

Acceptability with regard to impacts on landscape/character

In general terms, the final landform sought results in a 'new' bund some 3-4m in height immediately alongside the A24, a raised level plateau at the northern end of the site, and a lower lying flat 'meadow' area with gentle tapering slopes connecting into the pre-existing A24 bund. At its northern end, the landform results in a steep slope at the site boundary. The land would be seeded for grazing and additional landscaping/planting installed along the northern and western boundaries.

The application site predominantly forms a narrow strip of agricultural land sandwiched between the tree lined A24 and a large bund. As such the site is generally well-contained and not readily visible in the wider landscape. Urban influences in the immediate vicinity, notably the A24 and a neighbouring waste facility, already significantly diminish the rural character of the locality.

The landform would inevitably give rise to some impact on the remaining rural character of the site and have some visual impact on the locality, in particular as viewed from a public footpath which crosses the site (and which would require steps to allow safe movement up/down the steep northern slope). In this regard the 'new' bund and steep northern slope, to some extent, would have an unnatural engineered profile.

However, taking into account the proximity to other urban influences, context of the large A24 earth bund which dominates the immediate topography, and noting that the 'new' bund would form a continuation of that alongside the adjacent waste recycling site, it is not considered the development would result in an unacceptable impact on the landscape, character or visual qualities of the locality, or the enjoyment of the public footpath.

In response to the comments of the WSCC Tree Officer and Horsham District Council Landscape Architect, the applicant has confirmed outline proposals for additional supplementary planting along the western boundary, and a new belt of planting on the northern slope. Such provision, if appropriately designed would ensure that any impact on the health of trees (resulting from the deposition of materials in root zones) would be suitably mitigated, boundary screening is maximised, help soften the appearance of the engineered landform, and enhance the landscape/ecological connection between the landscape buffer along the A24 and landscape corridor to the north-east wider landscape. To ensure this (and secure the associated landscape/biodiversity benefits) a more comprehensive native planting scheme will be required by condition.

Other Material Matters

Apart from finishing works (including the installation of stockproof fencing/gates, new public footpath steps, and planting) the land raising works are substantially complete. Any further required waste materials/soils (e.g. to supplement planting) would be processed materials recycled from the neighbouring inert waste recycling site.

The Highway Authority raises no objection to the development, subject to the same guidance/restrictions as required for the neighbouring waste site (WSCC/009/20). The applicant has confirmed that access to the site for remaining works would be via the neighbouring waste site and its formalised access from Grinders Lane (all within the applicants control) and would make use of the associated infrastructure and wheel wash facilities. It is unlikely that the remaining works would result in any substantive volume of vehicles movements, particularly when considering what may typically arise from any agricultural use of the site. The development is not therefore considered likely to result in any unacceptable impacts upon highway capacity or road safety.

The development could have the potential to result in noise and dust associated with earthmoving/landscaping and construction activities, however, the site is located alongside the A24 that results in high background noise levels, and works have largely been completed and/or are temporary in nature with the site being returned to agricultural use. Taking this into account, and the distance from the nearest residential properties, it is not considered there would be any unacceptable impact upon residential amenity.

The development results in a significant change in levels where a public footpath crosses the site and includes the provision of steps at the northern boundary. The route remains unaffected. Taking into account the steep A24 bund which the public footpath traversed prior to any land raising, and noting the proximity to the A24 which dominates the immediate environment, it is not considered the change in levels and addition of steps would give rise to any detrimental impacts on the public use or enjoyment of the footpath. WSCC Public Rights of Way raise no objection to the proposals, highlighting any new structures on or obstructing the footpath will require separate consent under the Highways Act.

Conclusions and Recommendations

Taking the above into account, the development is considered to be acceptable in planning terms, subject to the imposition of conditions. It is therefore recommended that planning permission is granted.

Decision

Grant planning permission subject to conditions

Conditions

General

Approved Plans and Documents

1. The development hereby permitted shall only take place in accordance with the following approved plans/information:
 - Location Plan (drawing 20-08-01- dated September 2020);
 - Site Plan (drawing 20-08-02 – dated September 2020);
 - Sections (drawing 20-08-03 – dated September 2020);
 - Location of Staircase & Kissing Gate (drawing 20-08-04);
 - North Boundary and Staircase Detail (drawing 20-08-05 – dated February 2021);
 - Standard Step Detail (drawing ref: WSCC/PROW/SP01 Rev A – dated 04/08/16);
 - Supporting Planning Statement (dated September 2020);
 - Drainage Strategy Report (ref: 2020/D1867B/DS1.2 – dated 30 September 2020);

and supporting information, save as varied by the conditions hereafter.

Reason: To secure a satisfactory development.

Controlling Construction

Construction Management Plan

2. No further works for the construction of the development hereby permitted shall take place, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
 - the anticipated number, frequency and types of vehicles used during construction;

- the method of access and routing of vehicles during construction (to avoid any right turn onto the A24 from Grinders Lane);
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the storage of plant and materials used in construction of the development;
- dust suppression methods; and
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway.

Reason: In the interests of highway safety and amenities of nearby residents/footpath users.

Prohibited Activities

3. No mechanical processing of imported materials shall be undertaken on site and the no vehicles, plant, machinery or equipment shall be operated or parked therein, other than those which are directly required to complete the development approved under this permission.

Reason: To control the development in detail and minimise any impact of the development on the surrounding countryside and amenities of nearby residents/footpath users.

Hours of Construction

4. No works associated with the construction of the development hereby permitted, including the delivery of materials, shall take place outside the hours of 8.00 am and 17.00 pm on Mondays to Fridays inclusive; and not at any time on Saturdays, Sundays, Bank or Public Holidays.

Reason: In the interests of residential amenity.

Imported Materials

5. Any further imported materials required to complete the development hereby permitted shall constitute only inert, uncontaminated material and soils.

Reason: To avoid pollution through contamination of the soil, water and/or air.

Controlling Development

Surface Water Drainage

6. Within 3 months of the date of this decision, the approved drainage scheme (Drainage Strategy Report 2020/D1867B/DS1.2 – dated 30 September 2020 and Conceptual Drainage Strategy Drawing No. D1867B-300 Rev A) shall be implemented in full, and thereafter maintained in full throughout the approved operation. Within 1 month following its implementation, as-built drawings of the implemented scheme, together with a verification report that confirms that the scheme operates in accordance with the approved scheme (prepared by a qualified engineer), shall be submitted to the County Planning Authority. If the verification report indicates that the drainage system is not operating suitably, within 1 month a scheme of rectification shall be submitted to and approved in writing by the County Planning Authority, and thereafter implemented in full in accordance with a timetable to be set out in the rectification scheme.

Reason: To ensure that the proposed development is satisfactorily drained and ensure that impacts through flooding and pollution are not caused.

Landscaping and Restoration Scheme

7. Within 3 months of the date of this decision, a landscaping and restoration scheme to enable the sites use for agriculture shall be submitted to and approved in writing by the County Planning Authority. The scheme shall provide for planting on northern and western boundaries of the site and include the details of the number, size, spacing and species of shrubs and trees to be planted, soil preparation, seeding, and a programme of maintenance. All planting and seeding comprised in the approved details shall be carried out in the first planting season following approval. Any trees or plants which within a period of five years from planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others or similar size and species, unless the County Planning Authority gives written consent for any variation.

Reason: To mitigate, as far as practicable, the visual impact of the development on the surrounding countryside and to ensure biodiversity improvement central to the benefits of the proposal.

Fencing and Gates

8. Within 3 months of the date of this decision, details of all new fencing and gates to be erected shall be submitted to and approved in writing by the County Planning Authority. The approved details shall thereafter be implemented in full within 1 month of being approved and the fencing and gates maintained for the duration of the operations hereby approved.

Reason: To minimise the visual intrusion of the development into the surrounding countryside.

Informatives

- a) In accordance with the National Planning Policy Framework, the County Planning Authority has approached the determination of this application in a positive and creative way, and has worked proactively with the applicant by:

Providing pre-application advice; and

Working with consultees.

As a result, the County Planning Authority has been able to recommend the grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

- b) The Environmental Health Authority, Horsham District Council, may use their powers under the Control of Pollution Act 1974 (COPA) to enforce against any nuisance (including waste disposal, water pollution, noise, atmospheric pollution and public health) from the site. For any queries on this matter, please contact the Environmental Health Department of Horsham District Council on 01403 215641.
- c) With regard to Condition No. 7 the applicant's attention is drawn to the comments of the WSCC Tree Officer (dated 19/10/20) and Horsham District Council Landscape Architect (dated 04/11/20). Any submitted landscaping and restoration scheme should; along the western boundary, include supplementary native hedgerow shrub planting to enhance the existing landscape buffer alongside the A24 and; along the northern boundary, include a substantive belt of native planting that links to the wider landscape corridor to the north-east of the site.

Crime and Disorder Act 1998

No implications arise from this development


Human Rights Act 1998

Article 8 of the European Convention safeguards the respect for family life and home whilst Article 1 of the first protocol concerns the non-interference with the peaceful enjoyment of private property. Both rights are subject to conditions and interference with these rights may be permitted if the need to do so is proportionate. In this particular matter, the interests of those affected by the planned development have been fully considered as have the relevant considerations which may justify interference with particular rights. All of these are set out within the body of the report and are examined in the context of relevant planning considerations.

Equalities

The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers considered the information provided by the applicant, together with the responses from consultees (and the representations made by third parties), and determined that the proposal would not give rise to unacceptable material impact on

individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Date of Report Submission: 19/05/2021	Case Officer's Name: James Neave
	Case Officer's Signature: 
Date of Final Report: 10/05/21 19/05/2021	Reviewer's Name: Andrew Sierakowski
	Reviewer's Signature 