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Planning Committee (South)

Tuesday, 17th October, 2023 at 5.30 pm
Conference Room, Parkside, Chart Way, Horsham

Councillors:

Len Ellis-Brown (Chairman)	
Joanne Knowles (Vice-Chairman)	
Sam Bateman	Claudia Fisher
Mark Baynham	Joan Grech
Emma Beard	Lynn Lambert
Jon Campbell	Alan Manton
Philip Circus	Nicholas Marks
Paul Clarke	John Milne
Mike Croker	Roger Noel
Joy Dennis	Josh Potts
Malcolm Eastwood	John Trollope
Victoria Finnegan	Peter van der Borgh

You are summoned to the meeting to transact the following business

Jane Eaton
Chief Executive

Agenda

	Page No.
GUIDANCE ON PLANNING COMMITTEE PROCEDURE	
1. Apologies for absence	
2. Minutes	7 - 10
<i>To approve as correct the minutes of the meeting held on 19 September 2023 (Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)</i>	
3. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Committee	
4. Announcements	
To receive any announcements from the Chairman of the Committee or the Chief Executive	

To consider the following reports of the Head of Development & Building Control and to take such action thereon as may be necessary:

5. **Appeals** 11 - 12

Applications for determination by Committee:

6. **DC/21/2802 Ebbsworth Cottage, The Street, Nutbourne, Pulborough** 13 - 28

Ward: Pulborough, Coldwaltham and Amberley
Applicant: Mr and Mrs F Cramer

7. **SDNP/21/06423/HOUS 9 Rackham Street, Rackham** 29 - 38

Ward: Pulborough, Coldwaltham and Amberley
Applicant: Mr and Mrs Morley

8. **Urgent Business**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

Agenda Annex

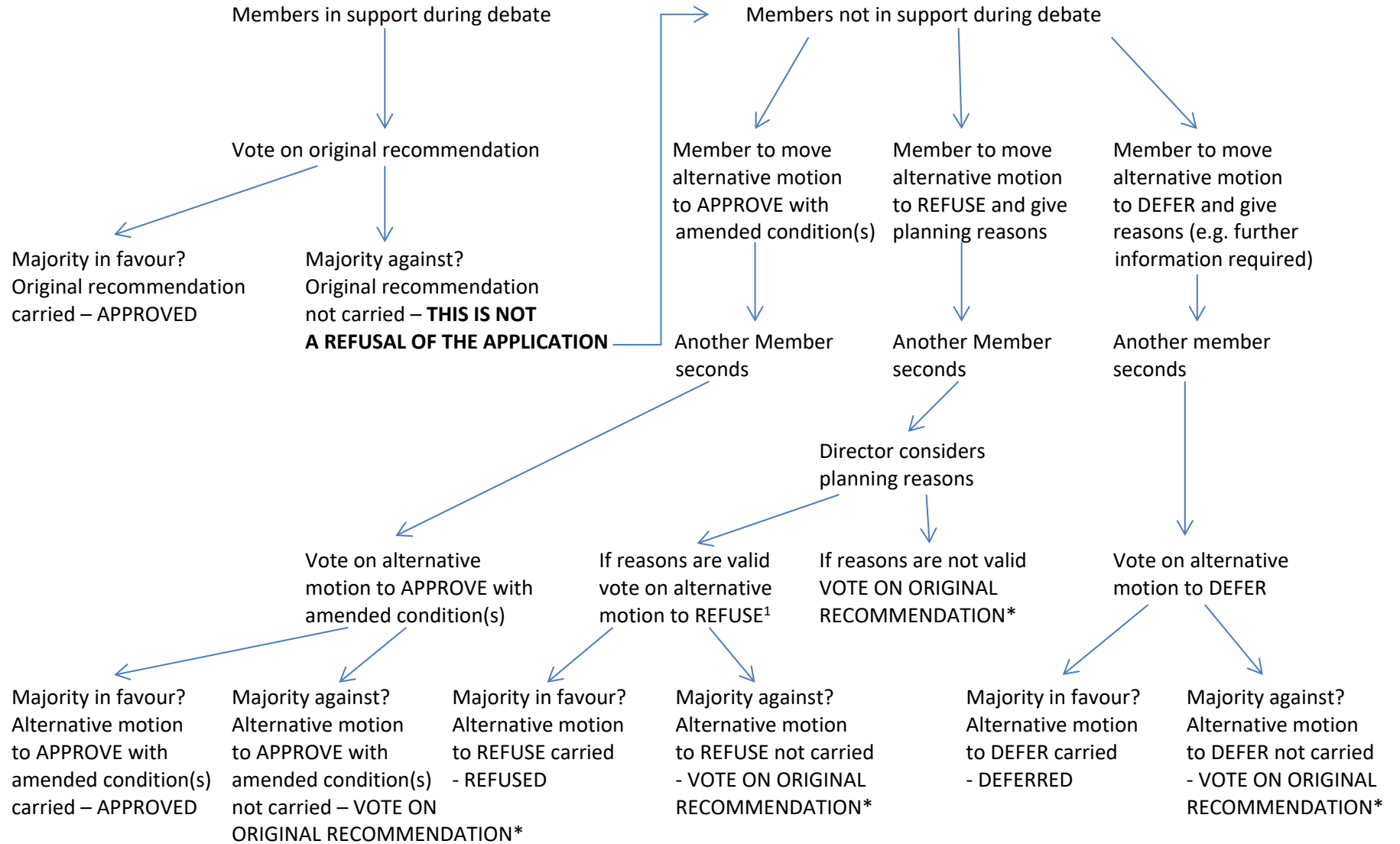
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

(Full details in Part 4a of the Council's Constitution)

Addressing the Committee	Members must address the meeting through the Chair. When the Chairman wishes to speak during a debate, any Member speaking at the time must stop.
Minutes	Any comments or questions should be limited to the accuracy of the minutes only.
Quorum	Quorum is one quarter of the total number of Committee Members. If there is not a quorum present, the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If a date is not fixed, the remaining business will be considered at the next committee meeting.
Declarations of Interest	Members should state clearly in which item they have an interest and the nature of the interest (i.e. personal; personal & prejudicial; or pecuniary). If in doubt, seek advice from the Monitoring Officer in advance of the meeting.
Announcements	These should be brief and to the point and are for information only – no debate/decisions .
Appeals	The Chairman will draw the Committee's attention to the appeals listed in the agenda.
Agenda Items	The Planning Officer will give a presentation of the application, referring to any addendum/amended report as appropriate outlining what is proposed and finishing with the recommendation.
Public Speaking on Agenda Items (Speakers must give notice by not later than noon two working days before the date of the meeting)	Parish and neighbourhood councils in the District are allowed 5 minutes each to make representations; members of the public who object to the planning application are allowed 2 minutes each, subject to an overall limit of 6 minutes; applicants and members of the public who support the planning application are allowed 2 minutes each, subject to an overall limit of 6 minutes. Any time limits may be changed at the discretion of the Chairman.
Rules of Debate	<p>The Chairman controls the debate and normally follows these rules but the Chairman's interpretation, application or waiver is final.</p> <ul style="list-style-type: none"> - No speeches until a proposal has been moved (mover may explain purpose) and seconded - Chairman may require motion to be written down and handed to him/her before it is discussed - Secunder may speak immediately after mover or later in the debate - Speeches must relate to the planning application under discussion or a personal explanation or a point of order (max 5 minutes or longer at the discretion of the Chairman) - A Member may not speak again except: <ul style="list-style-type: none"> o On an amendment to a motion o To move a further amendment if the motion has been amended since he/she last spoke o If the first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried) o In exercise of a right of reply. Mover of original motion

	<p>has a right to reply at end of debate on original motion and any amendments (but may not otherwise speak on amendment). Mover of amendment has no right of reply.</p> <ul style="list-style-type: none"> ○ On a point of order – must relate to an alleged breach of Council Procedure Rules or law. Chairman must hear the point of order immediately. The ruling of the Chairman on the matter will be final. ○ Personal explanation – relating to part of an earlier speech by the Member which may appear to have been misunderstood. The Chairman’s ruling on the admissibility of the personal explanation will be final. <ul style="list-style-type: none"> - Amendments to motions must be to: <ul style="list-style-type: none"> ○ Refer the matter to an appropriate body/individual for (re)consideration ○ Leave out and/or insert words or add others (as long as this does not negate the motion) - One amendment at a time to be moved, discussed and decided upon. - Any amended motion becomes the substantive motion to which further amendments may be moved. - A Member may alter a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - A Member may withdraw a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).
Alternative Motion to Approve	<p>If a Member moves an alternative motion to approve the application contrary to the Planning Officer’s recommendation (to refuse), and it is seconded, Members will vote on the alternative motion after debate. If a majority vote against the alternative motion, it is not carried and Members will then vote on the original recommendation.</p>
Alternative Motion to Refuse	<p>If a Member moves an alternative motion to refuse the application contrary to the Planning Officer’s recommendation (to approve), the Mover and the Secunder must give their reasons for the alternative motion. The Director of Planning, Economic Development and Property or the Head of Development will consider the proposed reasons for refusal and advise Members on the reasons proposed. Members will then vote on the alternative motion and if not carried will then vote on the original recommendation.</p>
Voting	<p>Any matter will be decided by a simple majority of those voting, by show of hands or if no dissent, by the affirmation of the meeting unless:</p> <ul style="list-style-type: none"> - Two Members request a recorded vote - A recorded vote is required by law. <p>Any Member may request their vote for, against or abstaining to be recorded in the minutes.</p> <p>In the case of equality of votes, the Chairman will have a second or casting vote (whether or not he or she has already voted on the issue).</p>
Vice-Chairman	<p>In the Chairman’s absence (including in the event the Chairman is required to leave the Chamber for the debate and vote), the Vice-Chairman controls the debate and follows the rules of debate as above.</p>

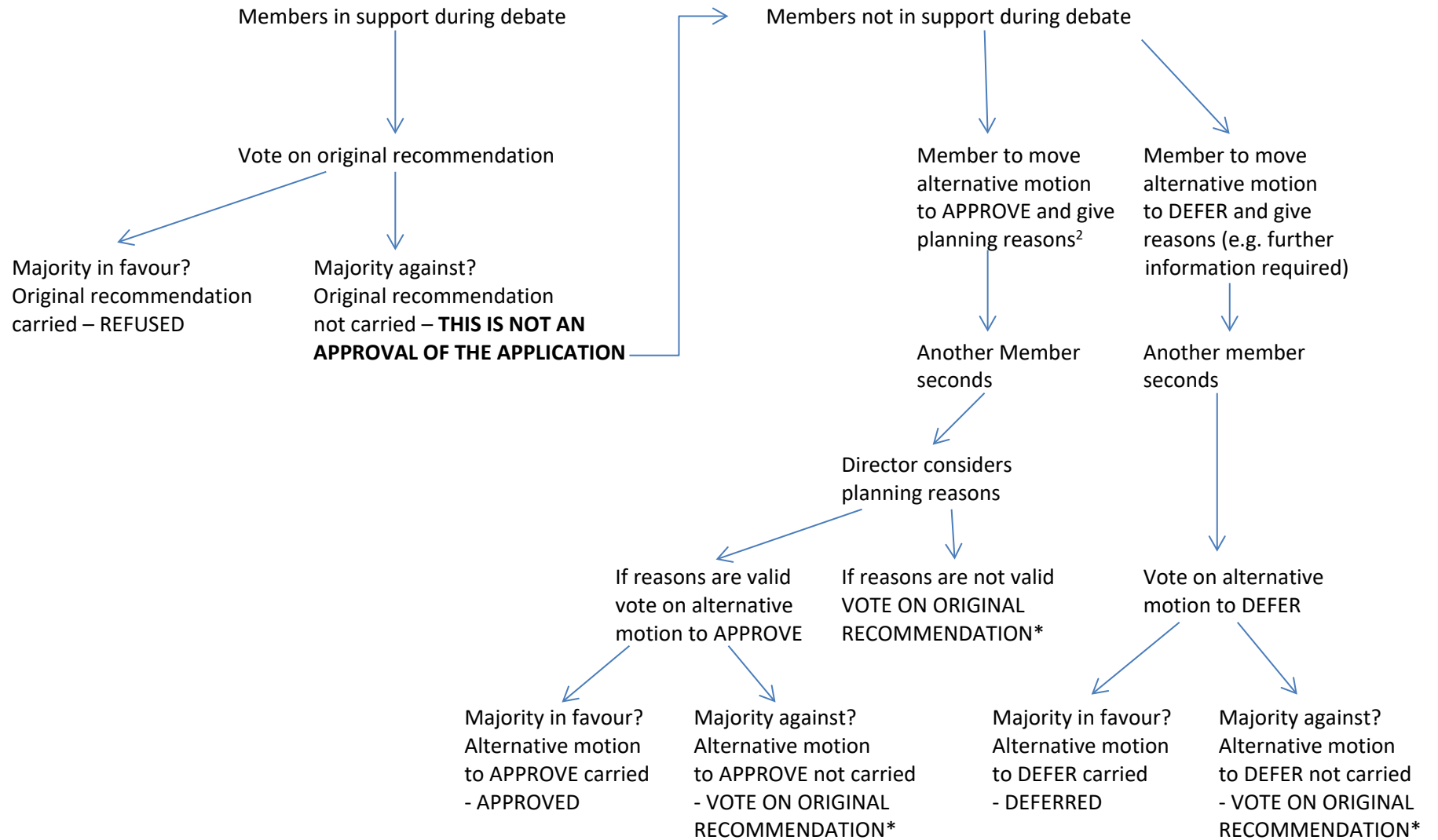
Original recommendation to APPROVE application



*Or further alternative motion moved and procedure repeated

¹ Subject to Director’s power to refer application to Full Council if cost implications are likely.

Original recommendation to REFUSE application



*Or further alternative motion moved and procedure repeated

² Oakley v South Cambridgeshire District Council and another [2017] EWCA Civ 71

Planning Committee (South)
19 SEPTEMBER 2023

Present: Councillors: Len Ellis-Brown (Chairman), Joanne Knowles (Vice-Chairman), Sam Bateman, Mark Baynham, Jon Campbell, Philip Circus, Paul Clarke, Mike Croker, Joy Dennis, Victoria Finnegan, Claudia Fisher, Joan Grech, Lynn Lambert, Alan Manton, Nicholas Marks, John Milne and Roger Noel

Apologies: Councillors: Emma Beard, Malcolm Eastwood, Josh Potts and Peter van der Borgh

Absent: Councillors: John Trollope

PCS/17 **MINUTES**

The minutes of the meeting held on 18 July 2023 were approved as a correct record and signed by the Chairman.

PCS/18 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/23/0651 Councillor Sam Bateman declared a personal interest in this item as she was the applicant. She left the room during the item and did not take part in the debate or vote.

PCS/19 **ANNOUNCEMENTS**

There were no announcements.

PCS/20 **APPEALS**

The list of appeals lodged, appeals in progress and appeal decisions, as circulated were noted.

PCS/21 **DC/23/0639 PEAR TREE FARM, FURNERS LANE, WOODMANCOTE**

The Head of Development and Building Control reported that this application sought permission for the erection of a 'U' shaped commercial storage building to accommodate tyres currently stored in the open and within shipping containers at Pear Tree Farm.

The application site is located on the north side of Furner's Lane. Pear Tree Farm is accessed by a single point of gated entry into Furner's Lane.

The site lies outside of any defined settlements boundaries and within the countryside. The built-up area of Henfield lies 0.8km to the west.

Members notes the planning history of the application.

The Parish Council objected to the proposal.

Nine letters of representation had been received on the proposal: five in support and three in objection.

The applicant spoke in support of their application.

Members had concerns regarding the height of the building, the proximity to the neighbouring houses, whether the tyre use of the site met with the appropriate regulations and the increased fire risk associated with the storage of tyres.

It was proposed and seconded that an additional condition and informative be included should the application be granted.

RESOLVED

That planning application DC/23/0639 be approved in accordance with officer's recommendation, excluding the requirement for a section 106 which had been withdrawn by officers since the publication of the committee report and subject to the following additional condition and informative:-

As a pre-commencement condition, no development shall commence until the details of fire safety measures have been submitted and approved in writing by the Local Planning Authority.

The measures shall have been produced in consultation with West Sussex Fire and Rescue Service. The approved measures shall be installed and made operational prior to first use of the building hereby permitted and shall be retained as such thereafter. This is to ensure satisfactory fire safety in accordance with policy 24 of the Horsham District Planning Framework. As an informative, the applicant is advised to ensure that they comply at all times with the necessary regulations governing the storage of tyres on the site.

PCS/22 **DC/23/1324 26 MANOR ROAD, UPPER BEEDING**

The Head of Development and Building Control reported that planning permission is sought for a two-storey side extension and a single storey rear extension to a semi-detached dwelling. An oak framed open porch was also proposed at the front, set on a brick plinth. The existing attached garage and conservatory located to the rear and side would be removed to facilitate the extensions.

The application site is located to east side of Manor Road within the built-up boundary area of Upper Beeding.

The Parish council objected to the application.

Members expressed concerns regarding the size of the proposed extension on the plot and proximity to the neighbouring property.

Officers provided clarification to committee that the proposed design and size within the plot were deemed acceptable and complied with both local and national planning policies. It was therefore recommended for approval.

RESOLVED

This application DC/23/1324 was approved in accordance with officer recommendation.

PCS/23 **DC/23/0651 CEDARS BYRE, PARBROOK, BILLINGSHURST**

The Head of Development and Building Control reported that planning permission was sought for the erection of a new wooden summer house within the rear garden of the property, located close to the northern boundary.

The application site- Cedars Byre is a detached two storey dwelling located within the built-up area of Billingshurst. A Grade II listed building sits to the west.

Since the publication of the committee report the applicant advised that the originally proposed concrete foundation would be replaced with screw pile foundation. This would not impact the nearby Yew tree which has a Tree Preservation Order (TPO).

Members noted the planning history of the application.

The Parish Council raised no objection to the application.

Members were supportive of the application and deemed the design appropriate and in keeping with the local area.

RESOLVED

That application DC/23/0651 be approved in accordance with officer recommendation, with condition 3 to become regulatory to secure the submitted screw pile foundation details.

The meeting closed at 6.38 pm having commenced at 5.30 pm

CHAIRMAN

Planning Committee (SOUTH)

Date: 17th October 2023



**Horsham
District
Council**

Report on Appeals: 06/09/2023 – 04/10/2023

1. Appeals Lodged

Horsham District Council have received notice from the Planning Inspectorate that the following appeals have been lodged:

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/23/0107	Bayley Paddock, Mill Lane, Partridge Green, West Sussex, RH13 8JU	06-Sep-23	Application Refused	N/A
DC/23/0594	The Spoons, Harbolets Road, West Chiltington, West Sussex, RH20 2LG	18-Sep-23	Application Refused	N/A
HRA/23/0010	Tisserand Farm, Stane Street, Billingshurst, West Sussex, RH14 9AE	27-Sep-23	Application Refused	N/A
DC/22/2165	Wellers Bungalow, Marringdean Road, Billingshurst, West Sussex, RH14 9EJ	28-Sep-23	Application Refused	N/A

2. Appeals started

Consideration of the following appeals has started during the period:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/22/0301	Land North of The Rise, Partridge Green, West Sussex	Informal Hearing	03-Oct-23	Application Refused	N/A

3. Appeal Decisions

HDC have received notice from the Planning Inspectorate that the following appeals have been determined:

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/21/2168	Oldfield Cottage, Fryern Road, Storrington, Pulborough, West Sussex, RH20 4BJ	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/22/0313	Pear Tree Farm, Furners Lane, Woodmancote, Henfield, West Sussex, BN5 9HX	Informal Hearing	Withdrawn	Application Refused	N/A
EN/20/0501	The Copper Cabin and Geodesic Dome, Land To The East of Fryern Road, Storrington, Pulborough, West Sussex, RH20 4BJ	Written Representation	Appeal Dismissed	Notice served	N/A



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 17 October 2023

DEVELOPMENT: Erection of a two-bed annexe building providing ancillary residential accommodation in place of a previously demolished annexe building (Retrospective).

SITE: Ebbsworth Cottage The Street Nutbourne Pulborough West Sussex RH20 2HE

WARD: Pulborough, Coldwaltham and Amberley

APPLICATION: DC/21/2802

APPLICANT: **Name:** Mr and Mrs F Cramer **Address:** Ebbsworth Cottage The Street Nutbourne Pulborough West Sussex RH20 2HE

REASON FOR INCLUSION ON THE AGENDA: By request of Pulborough Parish Council

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 Planning permission is sought for the erection of a two-bed annexe building providing ancillary residential accommodation located to the east side of the existing dwelling. The site previously benefited from an existing annexe which was left in a state of disrepair, and it has since been demolished. The works have ceased, and the application site remains with hardstanding foundation for the replacement building. The original annexe building had a gross internal floor area of approximately 69.5 square metres including a first-floor area over part of the living space. The new proposed annexe building is a single storey construction with an appropriate gross internal floor area of 68 square metres.

DESCRIPTION OF THE SITE

1.3 The application site relates to a grade II listed two-storey building located to the north of The Street, Nutbourne. The application site is located within a conservation area and is on a narrow section of the highway with no through route. The site is outside of a Built-Up Area Boundary and as such is considered to be located within a countryside location. The dwelling benefits from a garden curtilage extending to the west, north and east of the dwelling and the dwelling sits on the southern boundary with the highway.

1.4 Ebbsworth Cottage is a Grade II Listed Building sited immediately adjacent to the road. The building is described in the listing as a; *'Restored Grade II C17 or earlier timber-framed*

building with plaster infilling, ground floor and north end of the first floor rebuilt in stone rubble with red brick dressings and quoins. Thatched roof. Casement windows. One blocked original window with wooden mullions behind. Two storeys. Four windows'. The building is located to the north of The Street within Nutbourne.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

2.2 RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

2.3 National Planning Policy Framework

2.4 Horsham District Planning Framework (HDPF 2015)

Policy 25- Strategic Policy: The Natural Environment and Landscape Character

Policy 26- Strategic Policy: Countryside Protection

Policy 28- Replacement Dwellings and House Extensions in the Countryside

Policy 31- Green Infrastructure and Biodiversity

Policy 32- Strategic Policy: The Quality of New Development

Policy 33- Development Principles

Policy 34- Cultural and Heritage Assets

2.5 RELEVANT NEIGHBOURHOOD PLAN

2.6 Independent examiner John Slater was commissioned to undertake the examination of the **Pulborough Neighbourhood Plan**. The examiner underwent unaccompanied site visits of the plan area on the 27 July 2021 and was issued all Reg 16 representations in full. The examiner produced a note of his Initial Comments and setting a deadline of the **25 August 2021 at 12pm** for responses. The Examiner published his final report on the 18 September 2021. The following polies are relevant in the case of this application:
Policy 15 - Design

2.7 Planning Advice Notes:

Facilitating Appropriate Development

Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/20/1972	Erection of a detached double garage and a bin and log store.	Application Permitted on 27.01.2021
DC/19/2532	Erection of a single storey rear extension, external and internal alterations and replacement of roof covering with plain hand made clay tiles (Householder)	Application Permitted on 27.02.2020
DC/19/2533	Erection of a single storey rear extension, external and internal alterations and replacement of roof covering with plain hand made clay tiles (Listed Building Consent)	Application Permitted on 27.02.2020
DISC/20/0135	Approval of details reserved by conditions 3b and 3c to approved application DC/19/2533	Split Decision on 27.07.2020
DISC/20/0137	Approval of details reserved by conditions 3b (in respect of roof tiles) and 3c to approved application DC/19/2532	Split Decision on 27.07.2020

3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

INTERNAL CONSULTATIONS

HDC Compliance: No Objection. Work had started on building an ancillary building without obtaining planning permission. A large concrete raft had been constructed. Following contact from Sean Rix (HDC Conservation Officer) an application has now been received for "*Erection of a two bedroom annexe providing ancillary residential accommodation to replace an annexe that has been demolished due to its dilapidated condition.*" DC/21/2802 refers.

HDC Conservation: No Objection. I am disappointed that there was no opportunity to consider reuse of the timber frame rather than demolition and replacement. Even if only a proportion of the historic timbers could have been reused. I have no objection to the erection of the replacement building. This will not harm the setting of the listed building. It will be beneficial in reinforcing the special interest of the cottage to rebuild the annexe with the same timber dimensions and framing design of the historic outbuilding. (suggested conditions attached)

OUTSIDE AGENCIES

Ecology Consultant: Recommended approval subject to attached conditions and subject to Natural England's formal comments on the conclusion of the Bat Appropriate Assessment.

Natural England: No Objection – Subject to appropriate mitigation being secured. Upon re-consultation of the updated Water Neutrality Statement no comments were received by Natural England. Based on the information provided, we advise that we are happy that the development will not result in adverse effect on The Mens SAC, however we would recommend that this is recorded within your authorities Appropriate Assessment for completeness.

PUBLIC CONSULTATIONS

- 3.2 **Pulborough Parish Council Comments:** The Parish Council issued an objection on 17.02.2022 to the application on the grounds of overdevelopment and requested the application to be referred to Horsham District Council planning committee. It is understood that there is no previous planning permission for the removal of the previously demolished building. Upon re-consultation the Parish Council reaffirmed its original objection of 17.02.22.
- 3.3 2 letters of representation have been received from 1 separate addresses supporting the application based on design, the neighbour states that they are familiar with the property for the last 25 years, which had been open for charitable garden events. The neighbour states that existing annexe was a habitable accommodation with a kitchen, living area and a store. No objection has been raised to the replacement of the existing annexe.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS AND EQUALITY

- 4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of

property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

- 4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Principle of Development

- 6.1 Policy 28 of the Horsham District Planning Framework (HDPF) seeks to ensure that any replacement dwellings, house extensions, outbuildings and ancillary accommodation are of an appropriate scale, siting, and design, and have due regard to the countryside setting and the existing dwelling.
- 6.2 The proposal relates to a part-retrospective planning application for the erection of a two-bed annexe building providing ancillary residential accommodation in place of a previously demolished annexe, serving Ebbsworth Cottage. The proposal seeks to rebuild the existing annexe using the same footprint, with a slight increase to the ground floor area. Whilst the proposal would increase accommodation, the annexe would remain in its pre-existing position, retaining a close physical relationship with the existing property, maintaining reliance on the main dwelling, as well as sharing access and parking and thus would not be considered as a separate dwelling. It is noted that a separate dwelling within the same location would be considered unacceptable owing to its location outside of the built-up area- however, given the proximity to the main dwelling and the continued use in association with, it is considered that in principle the annexe would remain connected to the main use of the dwelling, and that this can be adequately controlled by way of condition.

Character and Appearance

- 6.3 Policies 32 and 33 of the HDPF seek to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing and appearance of development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.
- 6.4 Policy 15 of the emerging Pulborough Neighbourhood Plan states that the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and landscape, as detailed in the Pulborough Design Statement and Nutbourne Design Statement. In particular, the effects of any proposed development should respect any conservation area within the parish.
- 6.5 Policy 34 of the Horsham District Planning Framework states that Development should reinforce the special character of the district's historic environment through appropriate

siting, scale, form, and design, and should make a positive contribution to the character and distinctiveness of the area. In addition, development should preserve and ensure clear legibility of locally distinctive vernacular building forms and their setting, features, fabric and materials, and should seek to secure the viable and sustainable use of heritage assets through continued preservation by uses that are consistent with the significance of the heritage asset.

- 6.6 As above, the application proposes a replacement annexe which would be contained in a building of a similar footprint to the pre-existing building, providing accommodation at ground floor level. The proposed annexe building would comprise a similar scale and form to that of the pre-existing structure which was demolished on the site. It is considered that the proposed works would be subservient to the host building and would not appear unduly prominent or intrusive in views from surrounding properties over and above the pre-existing arrangement. Save for minor changes to the roof and external design, no other external changes have been proposed and no fundamental alterations to the building in terms of form or appearance.
- 6.7 While the increase in accommodation on the site would be generous, the resulting building would be reflective of the scale of outbuilding found in the surrounding area. As a result, it is not considered that the resulting building would appear out of character in this location and the proposal would not be harmfully disproportionate to the pre-existing arrangement.
- 6.8 The scale and siting of the replacement annexe does not prevent an appreciation or understanding of the principal listed building. Its siting, and the resulting proximity between buildings is not considered to create an unacceptable impact on the cottage. It is recognised this replaces a previous outbuilding on the site, and with consideration of the above assessment, would therefore have a neutral impact on the setting of the listed building.
- 6.9 Following comments from the Council's Senior Conservation Officer, it would have been desired that there be a reuse of the timber frame rather than demolition and replacement, even if only a proportion of the historic timbers could have been reused. The applicant has confirmed that the materials were not salvageable from the existing annexe. Whilst the loss of previous materials is regrettable, the siting and scale of the replacement annexe would not harm the setting or character of the listed dwelling. Conditions are suggested below to ensure that the detailed architectural aspects of the replacement annexe are submitted to and approved in writing by the Local Planning Authority prior to the development commencing, as to ensure the special interest of the cottage to rebuild the annexe with the same timber dimensions and framing design of the historic outbuilding is reinforced.
- 6.10 The overall scale would be of an appropriate design and siting such that there would be no adverse visual impact over and above the pre-existing arrangement, and would accord with the above policies. Furthermore, the proposals would not have a detrimental impact on the surrounding area or the adjoining properties in terms of its character and design, nor result in harm to the character and special interest of the host listed dwelling. The proposed works are therefore considered to be acceptable in this regard, subject to an appropriate condition in relation to specific materials to be used for the proposed development.

Impact on Neighbouring Amenity

- 6.11 Policy 33(2) of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.
- 6.12 It is considered that the siting and layout of the proposed annexe and the resulting relationship with the nearest adjoining property Short's Farm would be sufficient to prevent any unacceptable harm to neighbouring amenity. Short's Farm is located to the north-west and is set at an acceptable distance from the proposed site. It is noted that the existing boundary treatment to the east where the annexe is located has mature vegetation and no visible views from neighbouring boundaries. The provision of additional ancillary accommodation would not be expected to result in significant potential for harmful levels of noise or disturbance, and no adverse impact in these regards would be expected.

Water Neutrality

- 6.13 The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.
- 6.14 Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.
- 6.15 The proposal falls within the Sussex North Water Supply Zone and would result in a greater level of water abstraction than the site presently generates. Natural England therefore require that the proposal demonstrates water neutrality or that it should be delayed awaiting an area-wide water neutrality strategy. Detached annexes are generally considered capable of self-contained occupancy supplemental to the main dwelling and therefore will be assessed in the same manner as a new dwelling in terms of occupancy rates and water consumption. There is a likelihood the detached annexe would result in an increased occupation given the nature of accommodation proposed and as such the application cannot be screened out due to impact.
- 6.16 The pre-existing annexe comprised of a total Gross Internal Area (GIA) of 69.5m² with most of the internal area on the ground floor and a modest first floor area. The proposed Annex will comprise of a single storey structure of 68m². The pre-existing building contained one bedroom and a bathroom with a bath, w.c. & wash hand basin and a small kitchenette with a sink. Based on the Horsham District census data, a one-bedroom unit has an occupancy of 1.32. The proposed annex comprises of 2no. bedrooms and a shower room with shower, w.c. & wash hand basin. Based on the Horsham District census data, a two-bedroom unit has an occupancy of 1.88. Due to the likely increased occupancy numbers, there will therefore be an increase in water usage.
- 6.17 The existing baseline water usage is accepted as 0l/d. Based on the worse case flow rates for the fixtures and fittings a proposed water usage of 84.8 l/p/d has been calculated within the Part G Calculation. To determine the water usage per day the calculated 84.8 l/p/d is multiplied by 1.88 average occupancy, which equals 159.42 l/d. The proposed annex does not include a kitchen, as the kitchen facilities within the main house will be utilised as part of the annex.

- 6.18 As the proposed use would incorporate an increased water demand, the water strategy proposes to retrofit the annexe and existing property with efficient fixtures and fittings; water reuse with rainwater harvesting system which is considered acceptable and as such the water strategy is sufficiently detailed in this regard. The proposed efficiencies would reduce the overall water demand on the site by 115.62l/d, thus offsetting the proposed increase in demand resulting from the proposal.
- 6.19 Appropriate mitigation measures have been embedded within the development and would be secured by condition as part of the planning consent (detailed below). These measures are considered sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC & Ramsar site from the development either alone or in combination with other plans and projects, in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

Ecology

- 6.20 Policy 31(2) of the HDPF states that development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate. The Council will support new development which retains and/or enhances significant features of nature conservation on development sites. The Council will also support development which makes a positive contribution to biodiversity through the creation of green spaces, and linkages between habitats to create local and regional ecological networks.
- 6.21 The application was accompanied with an ecological assessment report. The site lies within the 6.5 km Key Conservation Area of The Mens Special Area of Conservation (SAC) and the 12 km Wider Conservation Area of Ebernoe Common SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). One of the qualifying features for the SACs is Barbastelle bats, but this species has not been recorded within 2.00 km of the site area (Ecological Impact Assessment (Lizard Landscape Design and Ecology, November 2022)).
- 6.22 The new development will be constructed on the existing concrete hardstanding and the line of trees along the eastern boundary of the site will be retained, together with all surrounding trees and shrubs (Ecological Impact Assessment (Lizard Landscape Design and Ecology, November 2022)). Therefore, there will be no severance to the flight lines of foraging or commuting bats from the SACs. Ecology advises that there will therefore be no Likely Significant Effect on the SACs and has recommend that Preliminary Roost Assessments for bats should be undertaken on any trees which may be scheduled to be removed from the site in the future.
- 6.23 In addition, although the pond is isolated from the construction area, the site could support Great Crested Newt (GCN) during their terrestrial phase in the modified grassland and tall ruderal habitats and, in addition, there is a record of GCN within 2.00 km of the site (Ecological Impact Assessment (Lizard Landscape Design and Ecology, November 2022)). It has therefore been recommended that a GCN method statement should be secured by a condition of any consent for discharge prior to commencement of any works which will impact the breeding / resting place of GCN.
- 6.24 Based on the information provided Natural England are satisfied that the development will not result in adverse effect on the Mens SAC. Ecology is satisfied that there is sufficient ecological information available for determination.

Conclusion

- 6.25 The proposed annexe is a replacement for an existing annexe and would be viewed within this context. Whilst the level of accommodation would be increased, the annexe would remain in its previous position and would retain a close physical relationship with the existing property. It would also maintain reliance on the main dwelling, as well as sharing access and parking. It is noted that the existing boundary treatment to the east where the annexe is located has mature vegetation and no visible views from neighbouring boundaries. The provision of additional ancillary accommodation would not be expected to result in significant potential for harmful levels of noise or disturbance, and no adverse impact in these regards would be expected. As such the proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

7. RECOMMENDATIONS

- 7.1 The application is therefore recommended for approval, subject to conditions as listed below.

Conditions:

- 2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

- 3 **Pre-commencement Condition:** No relevant works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority. The works must not be executed other than in complete accordance with these approved details:

- a) Specification, including elevational drawings of timber frame construction to replicate the form of the demolished historic timber frame.
- b) Samples or specifications of external materials and surface finishes.

Reason: As this matter is fundamental to ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 4 **Pre-commencement Condition:** Prior to any further works being undertaken on the site, a Great Crested newt Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to avoid potential impacts to Great Crested Newt bats during demolition and construction phases. The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

- 5 **Pre-commencement (Slab Level) Condition:** No development above ground floor slab level shall commence until full details of the water efficiency measures and

rainwater/greywater harvesting system required by the approved water neutrality strategy (Water Neutrality Statement 3 received 09.08.2023 have been submitted to and approved in writing by the Local Planning Authority. The rainwater harvesting system shall include suitable storage tanks to provide a minimum 35 days storage capacity.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 6 **Pre-commencement (Slab Level) Condition:** A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Ecological Impact Assessment (Lizard Landscape Design and Ecology, November 2022) shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

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

- 7 **Pre-occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Neutrality Statement received 09.08.2023 No development hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in the imposition of the following conditions: accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 8 **Pre-occupation Condition:** Prior to the occupation of the annexe commencing, all mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Lizard Landscape Design and Ecology, November 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

- 9 **Regulatory Condition:** The new roof junctions at ridge, eaves and verges shall be built to reflect traditional detailing including exposed rafter feet, cut verges, and hogs back or half round ridge tiles.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** The new windows fitted in the building hereby permitted shall have timber casements flush fitted with their frames.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** Any roof lights fitted shall be metal framed and sit flush with the roof slope.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** All new and replacement rainwater goods shall be cast iron or cast aluminium or cast effect plastic.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** The annexe hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of Ebbsworth Cottage, The Street, Nutbourne, Pulborough (as identified on the approved plans), and shall not be used as a separate unit of accommodation, as habitable living accommodation, for any commercial purposes or for any other purpose(s)/use(s).

Reason: The establishment of an additional independent unit of accommodation, additional living accommodation, commercial use or any other use(s) would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/21/2802

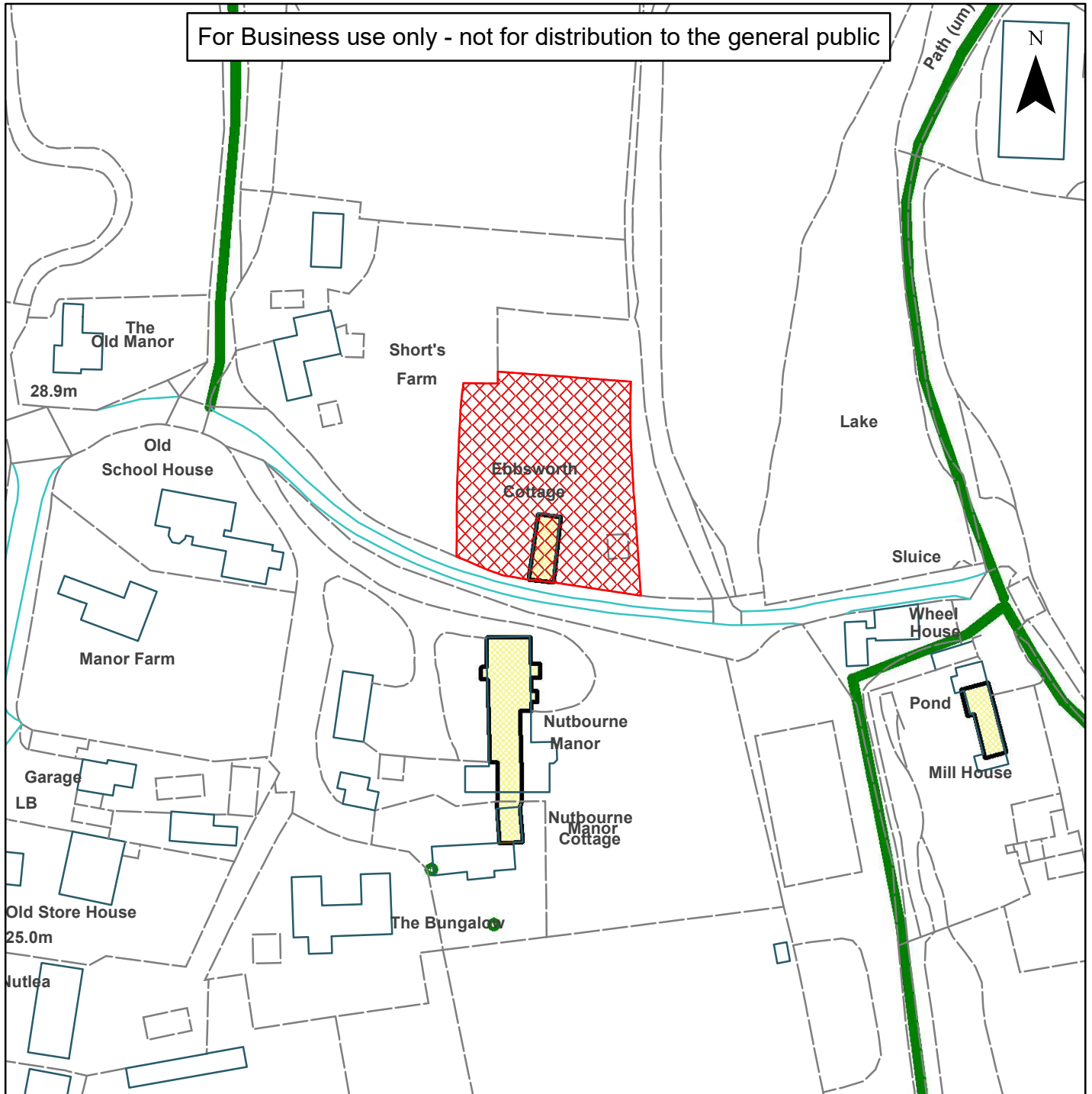
06) DC/21/2802

Ebbsworth Cottage, The Street, Nutbourne, Pulborough, West Sussex, RH20 2HE



Horsham District Council

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	05/10/2023
MSA Number	100023865

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TO: Planning Committee (South)

BY: Head of Development and Building Control

DATE: 17 October 2023

DEVELOPMENT: Erection of a two-bed annexe building providing ancillary residential accommodation in place of a previously demolished annexe building (Retrospective).

SITE: Ebbsworth Cottage The Street Nutbourne West Sussex RH20 2HE

WARD: Pulborough, Coldwaltham and Amberley

APPLICATION: DC/21/2802

APPLICANT: **Name:** Mr Tristin Lambeth **Address:** Ebbsworth Cottage The Street Nutbourne West Sussex RH20 2HE

REASON FOR INCLUSION ON THE AGENDA: By request of Pulborough Parish Council

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To update Committee Members in respect of water neutrality considerations since the Committee Report was published.

2. WATER NEUTRALITY QUERY

2.1 A query has been raised (primarily) in respect of paragraphs 6.17 and 6.18 of the Committee Report, and clarification is therefore being provided on the water calculations which are considered to demonstrate that water neutrality can be achieved by the development.

3. PLANNING ASSESSMENT

3.1 Paragraphs 6.17 and 6.18 of the Committee Report state:-

6.17 The existing baseline water usage is accepted as 0l/d. Based on the worse case flow rates for the fixtures and fittings a proposed water usage of 84.8 l/p/d has been calculated within the Part G Calculation. To determine the water usage per day the calculated 84.8 l/p/d is multiplied by 1.88 average occupancy, which equals 159.42 l/d. The proposed annex does not include a kitchen, as the kitchen facilities within the main house will be utilised as part of the annex.

6.18 As the proposed use would incorporate an increased water demand, the water strategy proposes to retrofit the annexe and existing property with efficient fixtures

and fittings; water reuse with rainwater harvesting system which is considered acceptable and as such the water strategy is sufficiently detailed in this regard. The proposed efficiencies would reduce the overall water demand on the site by 115.62l/d, thus offsetting the proposed increase in demand resulting from the proposal.

- 3.2 Upon review of the above assessment it has been concluded that certain calculations contributing to the overall scheme to demonstrate Water Neutrality were omitted, and while the entirety of the submitted water statement is accurate a step in the calculations was not included in the Committee Report, with this step relating to water saving measures in the existing dwelling at Ebbsworth Cottage. In order to clarify the position in respect of water neutrality the following calculations have been derived from the Water Statement.
- 3.3 It has been established that the baseline water usage for the annexe is **159.42 l/d**. A number of efficiencies to fixtures and fittings have been identified, and these would generate savings of **43.8l/d**. Further savings are made through the inclusion of Rainwater Harvesting (for non-potable water) to the amount of **35.22 l/d**.

Total Water Saving Annexe = 79.02 l/d

Therefore, the water usage after water saving measures within annexe:

159.42 (baseline water usage) - 79.02 (water efficiencies) = 80.46 l/d.

In order to achieve water neutrality further savings of 80.46 l/d are therefore required, with the application proposing that this be offset against Ebbsworth Cottage.

- 3.4 Section 4 of the Water Neutrality Statement sets out offsetting measures to the main dwelling, which would create a saving of **82.26l/d** over the dwellings baseline usage. It is noted that Ebbsworth Cottage has recently been renovated and these water saving measures have been implemented within the main dwelling.
- 3.5 Therefore, across the site, the total water usage is **80.46l/d** (from the annex), minus the savings from the retrofit works of **82.26l/d**, which equals **-1.8 l/d**, making the development water neutral. It should be noted that there is an error within the water neutrality statement where the – (minus) has been missed off the residual water usage.
- 3.6 The submitted water statement and the offsetting measures therein are sufficient to demonstrate that the development can achieve water neutrality.
- 3.7 It is acknowledged that there is a modest buffer of water usage (c.1.8 l/d) by which water neutrality has been achieved. It should though be noted that the above calculations represent the worst case scenario for water consumption within the proposed annexe.
- 3.8 The proposed annexe is intended to be occupied intermittently throughout the year, whereas the calculations for water usage are based on continuous occupation. In addition, the calculations include water usage arising from kitchen within the annexe, whereas no such facilities are being proposed. The water usage of the annexe is therefore at the upper end of what would be anticipated to actually arise in terms of water consumption. This assessment of water neutrality has therefore taken into account the need for a precautionary approach, with a lower consumption than that which has been calculated above likely.

- 3.9 A further consultation response has been received from Natural England, confirming they have no objections to the proposal subject to the necessary mitigation (to achieved water neutrality) being secured by condition. With these conditions nos. 5 and 7 of the recommendation.
- 3.10 In considering the above and the recommendations made by Natural England, Officers are of the view that the water statement is acceptable and demonstrates that the development is water neutral, and these measures are considered sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC & Ramsar site from the development either alone or in combination with other plans and projects, in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

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Report to	Planning Committee
Date	20 June 2023
By	Director of Planning
Application Number	SDNP/21/06423/HOUS
Applicant	c/o Whaleback Planning & Design Mr and Mrs Morey
Application	Erection of part single and part two storey extension, reinstatement front porch and construction of a detached carport and store.
Address	9 Rackham Street Rackham RH20 2EX

Recommendation: That the application be **Approved** subject to the conditions set out in paragraph 10.1 of this report.

Executive Summary

The main issues for consideration in respect of the application are:

- The principle of development
- The impact of the proposed development on landscape character
- The impact of the proposed development on the amenities of neighbouring occupiers

The application is placed before the Planning Committee due to the number of letters of representation received.

1. Site Description

- 1.1 The application site is located on the western side of Rackham Street. The site comprises a detached dwelling situated on a generous plot within a rural location.
- 1.2 The application site is located in the countryside. The site does not fall within a Conservation Area and is not a Listed Building.

2. Relevant Planning History

SDNP/14/04858/HOUS	Proposed two storey side extension with balcony	07.11.2014
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3. Proposal

- 3.1 The proposal seeks planning permission for the erection of part single and part two storey extension, reinstatement of a front porch and construction of a detached carport and store. Amended plans to alter the scheme have been received following the initial consultation and feedback, changes have been made to the single storey timber clad element, to be replaced with a more traditional extension, sporting a pitch roof as opposed to a flat roof extension.

4. Consultations

- 4.1 Parish Council Consultee
- 4.2 Parham Parish Council raised no objection to this application.

5. Representations

- 5.1 There was 7 no. registered objection received during the neighbour consultation process. The following concerns were raised:
 - Out of character
 - Oversized in street scene
 - Large expanse of glass
 - Carport located out of alignment with existing dwelling
 - Already existing garage on site new car port unnecessary
 - No planning permission for the conversion garage store area to habitation / office area
 - Strong possibility of light pollution
 - Dominate and overbearing to the surrounding
 - Carport overbearing to road
 - Flat roofed extensions are alien
 - Balconies intrusive to neighbouring properties
 - Traditional clay tiles unable to be laid on low pitched roof
 - Carport located on prominent position
 - Existing garage rarely used
 - Timber cladding and glass are inappropriate to the rural setting
 - Change the character and appearance of the local settlement
 - Fail to preserve original character
 - Does not conserve and enhance the natural landscape
 - No justification for carport

- Size and material not in keeping with the characteristic of the hamlet
- Balconies would be visible on the public footpath
- Carport detract from the street view
- Result in doubling the size of existing dwelling
- Scale and bulk not preserve overall character
- Exceed 30% allowance set out in policy SD31
- Visually distracting and unsatisfactory building which does not sit well in the surrounding
- Design's incongruous, lacks symmetry and the geometry of the gable ends, flat balconies and hotchpotch of fenestration sizes and styles creates a muddled appearance
- Inappropriate use of materials
- Timber cladding appears unattractive and exacerbates the cluttered and confused impression created by the variation in ridge lines and window types
- Adverse effect on local landscape
- Incongruous bulky design and the materials proposed

5.2 A re-consultation on amended plans was sent out on the 4th of September 2023, the re-consultation received 6 letters of objection and the following comments were made:

- Insignificant changes made as such objection still stands
- Development still exceeds 30% allowance
- Overdevelopment of the site
- Scale and massing will result in bulky building
- Design and proposed materials will be prominent addition
- Adversely affect views of neighbouring properties
- Dark skies
- The buildings will appear incongruous in the village
- Building will be highly visible
- Development will affect residential amenity of neighbouring properties

5.3 There was 1 no. support received during the neighbour consultation process. The following comments were made:

- Suggested changes have no negative impact on the surrounding area
- Will be a massive improvement to the current house
- Would improve local housing for young people

6. **Planning Policy**

6.1 Relevant Sections of National Planning Policy Framework:

- NPPF02 - Achieving sustainable development
- NPPF12 - Achieving well-designed places
- NPPF15 - Conserving and enhancing the natural environment

6.2 Most relevant Policies of Adopted South Downs Local Plan (2014-2033) (A full list of relevant policies can be found in Appendix 1)

- SD5: Design
- SD31: Extensions to Existing Dwellings and Provisions of Annexes and Outbuildings

7. Planning Assessment

Principle of development

- 7.1 Policy SD1 of the Submission South Downs Local Plan (2019) provides a presumption in favour of sustainable development. The Local Planning Authority will consider the cumulative impacts of development, and refuse permission where development adversely influences the landscape, natural beauty, biodiversity and cultural heritage of the National Park. Exceptions are identified, however, where development results in demonstrable benefit that significantly outweighs relevant harm, and there is substantial compliance with other policies of the emerging local plan.
- 7.2 It is considered that the existing policy basis would provide no restriction on the principle of residential extension within a countryside location, subject to other material considerations relating to design, scale and appearance, landscape character, relationship with neighbouring occupiers and parking provision.

Scale, Design and Appearance:

- 7.3 Policy SD5 of the Submission South Downs Local Plan (2019), stipulates that development will only be permitted that respects the local landscape character, through sensitive and high quality design that makes a positive contribution to the overall character and appearance of the area.
- 7.4 Policy SD31 of the Submission South Downs Local Plan (2019) states that householder extensions, and the provision of annexes and outbuildings will be permitted where:
- a) The proposal does not increase the floorspace of the existing dwelling by more than approximately¹ 30% unless there are exceptional circumstances;
 - b) The proposal respects the established character of the local area; and
 - c) The proposal is not overbearing or of a form which would be detrimental to the amenity of nearby residents by virtue of a loss of light and/or privacy
- 7.5 The application relates to a detached dwelling with 3 bedrooms which would be considered a small to medium dwelling. The application relates to extensions to the main dwelling which would result in the creation of an additional bedroom. Whilst the application site benefits from an extant planning permission for the creation of a 4th bedroom, this approval was gained prior to the adoption of current South Downs Local Plan 2019. There is a building control application Ref SBC/17/2347, which states works had started; the applicant states '*works commenced to implement the footings of the two-storey side extension on the 9th/10th November 2017. The planning permission would have otherwise lapsed on 14th November 2017*'. This means that the previous permission can still be implemented given works have commenced, and this is a material consideration in the assessment of this application. Amended plans have been submitted to propose amendments to the single storey addition, to remove the timber clad element, and replace with a more traditional extensions similar to materials already existing on site. The roof element sports a mono-pitch as opposed to a flat roof extension to be more in keeping with the existing property. In reviewing the amended plans the proposal does not appear overbearing or a form which would be detrimental to the amenity of neighbouring properties.
- 7.6 Additionally, Policy SD5 of the SDLP (2019) aims to maintain a landscape led approach to design, through sensitive and high-quality design that makes a positive contribution to the overall character and appearance of an area. Development *inter alia*, will be required to complement landscape character, contribute to local distinctiveness and incorporate architectural design appropriate to its setting in terms of height, massing, density, roof form and relevant detailing.
- 7.7 The proposed extensions would re-configure the main dwelling and enlarge the existing formation to create a full height two storey dwelling. The hipped roof of the proposed side extension against the gable face of the main roof would create a unified relationship with the host dwelling. The use of the mono-pitch roof on the first-floor side extensions whilst modern to the original dwelling does not display a disjointed addition as to warrant a refusal. Similarly, the mono-pitched roof

above the proposed single storey side extension would integrate the existing dwelling and would maintain the traditional look from the front of the property overlooking the public realm. The modern addition will be contained to the rear allowing for subtle changes to the overall aesthetics out of the wider public view. The proposal would incorporate an approximate 28% (84m²) increase in overall GIA compared to the existing (296m² to 380m²), and therefore accords with Policy SD31(a).

- 7.8 The use of timber cladding against the brick and stone façade combined with the expanse of glazing whilst divergent to the original structure does not appear incongruous and detrimental to the character of the main dwelling. It is not considered that the proposal would result in an adverse visual impact created by the size, design or introduction of new external materials.
- 7.9 It is acknowledged that the application site already benefits from an existing detached garage with the provision to accommodate 2 no. vehicles. Whilst the carport would be situated on a prominent location adjacent to the street scene, it is considered that the overall size of the development plot it is not unusual nor out of character for the erection of an additional carport. The proposed carport would not appear a dominant feature detrimental to character of the street scene.

Amenity

- 7.10 Policy SD31 of the SDLP (2019) requires proposals to not be overbearing or of a form which would be detrimental to the amenity of nearby residents by virtue of loss of light and/or privacy.
- 7.11 The proposed two storey side extensions would include balconies on the north and south elevations. It is considered that these balconies would not have an impact to the northern and southern neighbouring properties as the neighbouring properties are set at a decent distance and are projected forward to their individual plots as such there is no loss of privacy envisaged.

Dark Skies

- 7.12 Policy SD8 of the SDLP (2019) provides that development will be permitted that conserves and enhances the intrinsic quality of dark night skies and the integrity of the Dark Sky Core. Development must demonstrate that all opportunities to reduce light pollution have been taken, including the avoidance of unnecessary lighting and appropriate mitigation where unavoidable.
- 7.13 The application site is located within Dark Skies Zone E0 where large areas of the skies can be classified as intrinsically dark.
- 7.14 The proposal would include additional glazing at ground floor level and introduce a series of fenestrations at first floor level. In reviewing these additions it is not considered that the proposed side extension would create any more significant additional light spillage that already exists within the property and as such would not be in contrary to policy SD8 of the SDLP (2019).

Water Neutrality

- 7.15 There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the holiday unit necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

8 Conclusion

- 8.1 The proposed extensions are considered to be of an acceptable scale, form, design and appearance that would be appropriate to the host dwelling and the character of its wider built surroundings. The proposal would not be considered to result in any adverse impact on the local landscape character, or the amenities of neighbouring occupiers. Sufficient off-street parking would be

provided to satisfy the calculated parking demand for the application property, with no wider impact on highway operation anticipated. The proposal is, therefore, considered compliant with the relevant policies of the current local development plan, emerging local development plan and emerging neighbourhood plan and is recommended for approval, subject to the conditions listed below.

Conditions:

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

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 interests of proper planning.

3. The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.

Reason: To safeguard the appearance of the building and the character of the area.

4. The carport hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of 9 Rackham Street, Rackham (as identified on the approved plans), and shall not be used for any other purpose(s) without the prior express consent of the Local Planning Authority.

Reason: The use for any other purpose may result in a more intensive occupation necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, and in the interest of neighbouring amenity.

Tim Slaney
Director of Planning
South Downs National Park Authority

Contact Officer: Shazia Penne
Tel: 01403 215258
email: Shazia.penne@horsham.gov.uk

Appendices Appendix I - Information concerning consideration of applications before committee

SDNPA Consultees

Background Documents

Appendix I – Information concerning consideration of applications before committee

Officers can confirm that the following have been taken into consideration when assessing the application:-

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage;
- To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

If there is a conflict between these two purposes, greater weight shall be given to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in a National Park, whereby conservation takes precedence. There is also a duty upon the National Park Authority to foster the economic and social wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework and the Vision & Circular 2010

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It was first published in 2012. Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010.

The Circular and NPPF confirm that National Parks have the highest status of protection in relation to landscape and scenic beauty. The NPPF states at paragraph 176 that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and that the conservation and enhancement of wildlife and cultural heritage are important considerations which should also be given great weight in National Parks. The scale and extent of development within the Parks should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Major Development

Paragraph 177 of the NPPF confirms that when considering applications for development within the National Parks, permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.

For the purposes of Paragraph 177 whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

For the purposes of this application, assessment as to whether the development is defined as major for the purposes of Para 177 is undertaken in the Assessment Section of the main report.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

A screening opinion has concluded that for reasons of scale, use, character and design and environmental considerations associated with the site, the proposals are not EIA development within the meaning of the relevant 2017 legislation. Therefore, an EIA is not required.

The Conservation of Habitats and Species Regulations 2017

Following a screening of the proposals, it is considered that a likely significant effect upon a European designated site, either alone or in combination with other proposals, would not occur given the scale, use, and location of what is proposed. Consequently, an Appropriate Assessment under a Habitats Regulation Assessment is not required.

Relationship of the Development Plan to the NPPF and Circular 2010

The development plan policies listed within the reports have been assessed for their compliance with the

NPPF and are considered to be compliant with it.

The South Downs National Park Partnership Management Plan 2019-2025

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans “contribute to setting the strategic context for development” and “are material considerations in making decisions on individual planning applications.” The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. Relevant Policies are listed in each report.

South Downs Local Plan

The South Downs Local Plan (SDLP) was adopted by the Authority in July 2019. All development plan policies are taken into account in determining planning applications, along with other material considerations.

The Planning and Compulsory Purchase Act 2004 S38 (6) confirms that “If regard is to be had to the development plan for the purpose 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”.

All policies of the South Downs Local Plan which are of relevance to this application

- Core Policy SD1 - Sustainable Development
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD8 - Dark Night Skies
- Development Management Policy SD31 - Extensions to existing dwellings, and provision of annexes and outbuildings

Human Rights Implications

These planning applications have been considered in light of statute and case law and any interference with an individual’s human rights is considered to be proportionate to the aims sought to be realised.

Equality Act 2010

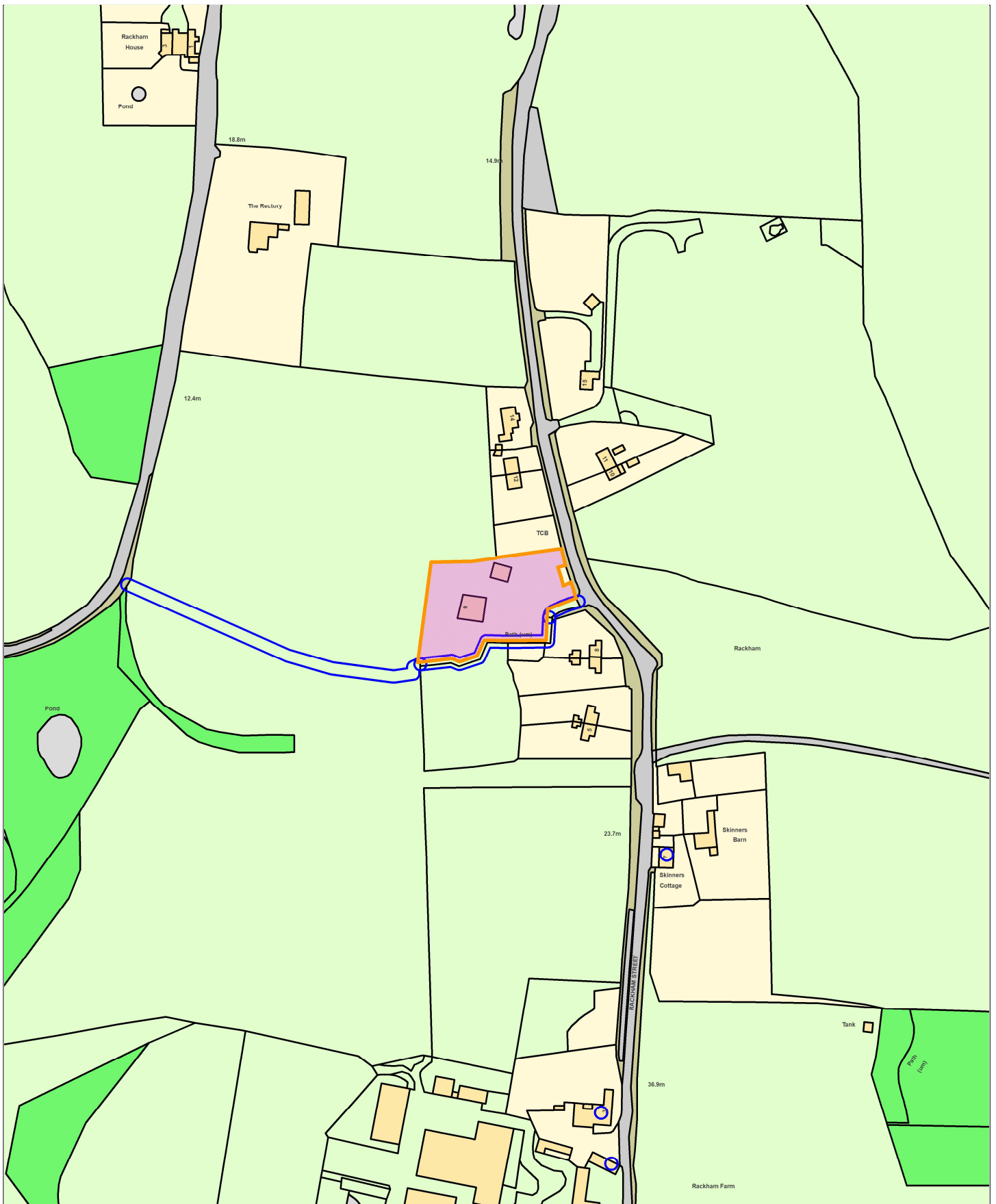
Due regard has been taken within this application of the South Downs National Park Authority’s equality duty as contained within the Equality Act 2010.

Crime and Disorder Implication

It is considered that the proposal does not raise any crime and disorder implications

Community Infrastructure Levy

IMPORTANT NOTE: This application is liable for Community Infrastructure Levy.



South Downs
National Park Authority

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