



**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 16 October 2018

**DEVELOPMENT:** Demolition of existing outbuildings and erection of a two storey dwelling with associated parking and the creation of new access onto lane west of Stockmans (Full Application)

**SITE:** Stockmans Blackstone Street Blackstone Henfield West Sussex BN5 9TD

**WARD:** Bramber, Upper Beeding and Woodmancote

**APPLICATION:** DC/18/1138

**APPLICANT:** **Name:** Mr and Mrs Colton **Address:** Stockmans, Blackstone Street Blackstone BN5 9TD

**REASON FOR INCLUSION ON THE AGENDA:** More than eight persons in different households have made a written representation, which disclose material considerations, are within the consultation period and are inconsistent with the officer's recommendation.

**RECOMMENDATION:** To refuse planning permission

## **1. THE PURPOSE OF THIS REPORT**

- 1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks full planning permission for the demolition of the outbuildings on the site, and the erection of a two storey 3-bed dwelling that would be positioned to the rear of the Grade II Listed Building known as Stockmans.
- 1.3 The proposed dwelling would consist of a 'T' shaped building positioned to the western boundary of the plot, and oriented to face north/south. The dwelling would extend over two storeys, with a number of single storey projections to the south, east and west.
- 1.4 The proposed dwelling would measure to a total length of 16.1m and an overall width of 13m, and would measure to an approximate footprint of 115sqm. It would incorporate a hipped roof over the main bulk of the dwelling measuring to a total height of 7.3m, with a single storey projection to the south and east measuring to an overall height of 4.9m. The dwelling would be finished in timber cladding and brick, with plain clay tiles to the roof.
- 1.5 It is proposed to provide 2 no. parking spaces to the south of the application site, with a store provided to the south of these spaces. It is proposed to retain the hedging along the western

boundary, with post and wire fencing proposed to the north, south, and east. Access would be via an existing lane that runs along the western boundary of Stockmans.

## DESCRIPTION OF THE SITE

- 1.6 The application site is positioned to the rear of the Grade II Listed Building known as Stockmans, in an area of the site currently used as a vegetable garden. The site is slightly set down from the principal Listed Building, with the land falling to the north. The site is located adjacent to the Blackstone Conservation Area, which extends to the south and west of the site, including Stockmans, but excluding the area of land the subject of this application.
- 1.7 The application site is surrounded to the east, west and south by a number of residential dwellings, most of which front the public highway of Blackstone Street, with larger agricultural buildings positioned to the far-west of the site. A public right of way runs north-south along the lane west of the site. The site is bound by a mature hedgeline, with open countryside surrounding to the north. Blackstone does not have a defined settlement boundary within the HDPF therefore the site is considered to be in the countryside.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

#### 2.2 **National Planning Policy Framework**

#### 2.3 **Horsham District Planning Framework (HDPF 2015)**

Policy 1 - Strategic Policy: Sustainable Development  
Policy 2 - Strategic Policy: Strategic Development  
Policy 3 - Strategic Policy: Development Hierarchy  
Policy 4 - Strategic Policy: Settlement Expansion  
Policy 15 - Strategic Policy: Housing Provision  
Policy 16 - Strategic Policy: Meeting Local Housing Needs  
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 32 - Strategic Policy: The Quality of New Development  
Policy 33 - Development Principles  
Policy 34 - Cultural and Heritage Assets  
Policy 41 - Parking

#### Supplementary Planning Guidance:

- 2.4 N/A

### RELEVANT NEIGHBOURHOOD PLAN

#### 2.5 **Woodmancote Parish Neighbourhood Development Plan 2016-2031**

- Policy 1 – A Spatial Plan for the Parish
- Policy 2 – Housing Windfall Sites
- Policy 3 – Design
- Policy 7 – Broadband

## PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.6 No relevant planning history

### 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](http://www.horsham.gov.uk)

#### INTERNAL CONSULTATIONS

- 3.2 **HDC Conservation:** Objection:  
The proposal to erect a 3-bedroom dwelling to the rear of Stockmans would obstruct views of the High Weald, and with it, the ability to understand the landscape context of Blackstone from this part of the Conservation Area. In addition, concern is raised that the scale of the proposed dwelling would harm the setting of the Listed Building by preventing the understanding and appreciation of the Listed Building and its connection with the surrounding landscape.

#### OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** No Objection.  
It is not considered that the proposal for a single dwelling would have a 'severe' impact on the operation of the highway network, and there are no transport grounds to resist the proposal.
- 3.4 **Southern Water:** No Objection.
- 3.5 **WSCC Rights of Way:** No Comment.

#### PUBLIC CONSULTATIONS

- 3.6 8 letters of support were received, and these can be summarised as follows:
- High quality design
  - Enhance the setting of the locality
  - Does not detract from the amenity of neighbouring properties

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

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

### 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

- 6.1 The application seeks full planning permission for a detached two storey 3-bed dwelling to the rear of the Grade II Listed Building known as Stockmans.

#### Principle of Development

- 6.2 Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development in the main settlements. The application site is situated outside of any of the defined settlement as categorised under Policy 3 of the HDPF, and therefore is considered to be in the countryside in policy terms. Policy 4 of the HDPF outlines that the expansion of settlements outside the built-up area are supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing needs; the impact of development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.
- 6.3 The HDPF outlines that the proposed settlement hierarchy is the most sustainable approach to delivering housing; with new development focused in the larger settlements of Horsham, Southwater and Billingshurst; with limited new development elsewhere. Specifically, Policy 3 of the Horsham District Planning Framework seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations as possible. Policy 3 categorised Blackstone as an 'unclassified settlement', defined a settlements with few or no facilities or social networks and limited accessibility reliant on other villages and towns to meet the needs of residents.
- 6.3 Paragraph 79 of the NPPF directs that isolated homes in the countryside should be avoided unless there are exceptional circumstances. These special circumstances include whether there is an essential need for a rural worker to live permanently at or near their place of work in the countryside; the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets'; the development would re-use redundant or disused buildings and enhances its immediate setting'; the development would involve the subdivision of an existing residential dwelling; or the design is of exceptional quality. In conjunction with this, Policy 26 of the HDPF requires development to be essential to its countryside location and in addition meet one of the following criteria: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of rural areas.
- 6.4 Since the adoption of the HDPF in November 2015, the Council is able to demonstrate a full 5-year housing land supply to meet the needs of the District to 2031. The development plan and the policies within it are therefore up to date. These policies set out the spatial strategy for sustainable development within the District by establishing a development hierarchy, setting out policies that allow settlements to grow and expand over the lifetime of the plan.
- 6.5 The application site lies outside of the designated built-up area, approximately 4.2km from the centre of Henfield. Given the site's position outside of the designated built-up area, the site is considered to be within a countryside location in policy terms. The application site is located at a distance from the nearest defined settlement, with Woodmancote itself considered an 'unclassified settlement'. As such, the application site does not adjoin an identified settlement, and is not considered to be close to any identified settlements.
- 6.6 The HDPF is currently subject of a Local Plan Review relating to employment, tourism, and sustainable rural development which is at the Issues and Options stage. It is recognised that the land outside built-up areas within Horsham District is not uniformly undeveloped farmland, and it does include a number of small hamlets and villages which are defined as 'unclassified settlements' under Policy 3 of the HDPF. These settlements lack a significant

level of services and facilities, and are therefore not a sustainable location for large scale development, but conversely have been recognised as having potential for some limited development when compared with entirely undeveloped fields against which Policy 26 would apply. It has therefore been considered that some development could take place through the identification of 'secondary settlement' boundaries in which a small amount of infill development may be considered acceptable. This Policy remains in draft form, and therefore does not fall within adopted policy. It nonetheless provides guidance on potential future direction of policy within the District.

- 6.7 Blackstone has been identified as a 'secondary settlement' as part of the Issues and Options stage of the Local Plan Review 2018. The application site however, lies outside of the draft settlement boundary, and therefore remains outside of the defined built-up area boundary. The application site would remain within a countryside location, where countryside policies apply.
- 6.8 In this countryside location, the site is also considered against Policy 26 'Countryside Protection' which protects the countryside against inappropriate development unless it is considered essential and appropriate in scale, whilst also meeting one of four criteria. The proposed development does not meet any of this criteria, nor is it considered to be essential given the Council can demonstrate a full 5-year housing land supply against the required number of dwellings per annum.
- 6.9 The surrounding area is characterised by sparse and sporadic residential development, primarily consisting of farms and detached dwellings located outside of any built-up area boundary, and isolated from infrastructure, amenities and services. Whilst acknowledged that the application site lies to the rear of a cluster of dwellings forming the unclassified hamlet of Blackstone, it is recognised that the site lies outside of any designated built-up area boundary. As such occupiers would likely be reliant on the private car. It is therefore considered that the application site is located within an unsustainable location.
- 6.10 As the site is located outside of any defined built-up area boundary, policies 3 and 4 of the HDPF are of significant weight in the determination of the application. As stated within Policy 3 of the HDPF, development will be permitted within towns and villages which have defined built-up areas; with development in the countryside more strictly controlled through the provisions of Policy 4. This policy states that development outside of built up areas will only be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins a settlement edge. The application site is not identified in the Local Plan and is not allocated within the adopted Woodmancote Neighbourhood Development Plan (WPNDP).
- 6.11 Notwithstanding the above, it is acknowledged that Woodmancote Parish has an adopted Neighbourhood Development Plan, with a specific policy relating to windfall sites. Policy 2 of the Woodmancote Parish Neighbourhood Development Plan states that development proposals for small scale housing development on infill and previously developed sites will be supported subject to the proposals being well designed and meeting all relevant requirements in other policies in the Neighbourhood Plan.
- 6.12 Officers are of the view that infill development is defined as development within a relatively small gap between existing buildings, and within existing communities. The proposed development would sit at a distance from the collection of buildings grouped within Blackstone, physically separate from the defined building cluster. Given these characteristics it is not considered that the proposal would result in infill development, and would therefore not accord with this policy of the adopted Woodmancote Neighbourhood Development Plan.
- 6.13 As the site is outside of a defined built-up area, the proposal would be contrary to Policy 3 of the HDPF. Notwithstanding this, given its countryside location, Policy 4 is also relevant. The application site is not allocated for development within the HDPF or in the adopted Woodmancote Parish Neighbourhood Plan, and does not adjoin an identified settlement.

edge. Therefore, the proposed development for 1 no. dwelling would be contrary to Policy 4 which outlines the circumstances in which the expansion of settlements outside of the built-up area boundary would be supported. It is considered that the principle of the proposed development within the countryside is therefore contrary to the overarching spatial strategy and principles of the National Planning Policy Framework and Local Development Plan. The Council can demonstrate a five year supply of housing. The proposed dwelling would be remote from day to day services, where the provision of market housing in this location, not linked to a rural use, would be contrary to Policy 26 of the HDPF and would not be in accordance with the overarching spatial strategy for development as set out in policies 3 and 4 of the HDPF.

- 6.14 The proposed development is located in the countryside, outside of any defined built-up area boundary, on a site not allocated for development within the Horsham District Planning Framework. The Council is able to demonstrate a 5 year housing land supply and consequently this proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements. Furthermore, the proposed development is not essential to its countryside location. Consequently, it represents unsustainable development contrary to policies 1, 2, 3, 4, and 26 of the Horsham District Planning Framework (2015).

### **Design and Appearance**

- 6.15 Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape character from inappropriate development. Proposal should take into account landscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, mass, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.
- 6.16 The proposed dwelling would consist of a 'T' shaped building positioned to the western boundary of the plot, and oriented to face north/south. The dwelling would extend over two storeys, with a number of single storey projections to the south, east and west. The proposal would measure to a total length of 16.1m and an overall width of 13m, and would measure to an approximate footprint of 115sqm. The proposed dwelling would incorporate a hipped roof over the main bulk of the dwelling measuring to a total height of 7.3m, with single storey projections to the south and east measuring to an overall height of 4.9m. The dwelling would be finished in timber cladding and brick, with plain clay tiles to the roof.
- 6.17 The submitted Design and Access Statement outlines that the design of the dwelling seeks to bring together design cues from the rural locality and village setting, with the dwelling emulating a series of barns and outbuildings linked together. In doing this, it is stated that the proposed dwelling would retain the openness of the Conservation Area and setting of the surrounding Listed Buildings in the locality.
- 6.18 The application site sits within a backland setting, where normally it would be anticipated that any new dwelling appear as a subservient addition to the principal frontage building. It is acknowledged that the proposed dwelling would sit on lower ground than the principal dwelling, with a distance of approximately 24m separating the proposed dwelling from the existing. However, it is considered that the proposed design, utilising a number of projecting elements, would be of a scale, mass and height that would not appear subservient within this backland setting. The ridge height of the proposed dwelling would extend to a similar height as the frontage property of Stockmans, with the footprint of the proposed dwelling considered to be of a size that would compete with that of the frontage dwelling.
- 6.19 Although noted that the proposed dwelling seeks to draw reference from agricultural and utilitarian buildings within the locality, it is considered that the proposed design results in a

number of awkward and ad-hoc projecting elements that contrast and juxtapose each other. This is considered to exaggerate the bulk and massing of the dwelling, with the overall height extending in line with the ridge height of the frontage dwelling of Stockmans. The cumulative effect of these features is considered to result in a dwelling that would be of a scale, mass and bulk that would dominate the backland setting, appearing as an addition that would not relate sympathetically to the character and vernacular of the locality.

- 6.20 Whilst it is acknowledged that there are a number of large agricultural buildings within close proximity to the site, it is considered that the application site retains the rural ambience and landscape character of the countryside location, and this is considered to be of importance to the rural character and setting of the surroundings and the distinctiveness of the locality. The proposal is considered to appear as an intrusive addition within the context of the site and rural surroundings, and is considered to be of a scale, form and appearance that would detract from the countryside setting.
- 6.21 The proposed development is therefore considered to result in a built form that would be of a scale, massing and design that would be visually dominant and intrusive within the rural landscape character of the area, and would detract from the countryside setting, contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

### **Heritage Impacts**

- 6.22 Paragraph 132 of the NPPF sets out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'
- 6.23 This follows the requirements of s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which sets out that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'. In applying s.66, the identification of harm to a listed building or its setting carries significant importance and weight in the planning balance.
- 6.24 Policy 34 of the HDPF states that work to Listed Buildings should reinforce and make a positive contribution to the special character of the historic environment through appropriate siting, scale, form and design; including the use of traditional materials and techniques.
- 6.25 The proposed site lies to the rear of Stockmans, a Grade II Listed Building, and would be positioned directly north of the dwelling. The site would border the designated conservation area of Blackstone which extends to the south and south-east of the site. The Listed Building is set within a spacious plot, with the rear of the site backing onto open countryside, providing long open views across the fields to the north of the site. Having assessed the historic maps of the area, the layout of the plot remains the same as that shown on the 1879 OS map, with the open and spacious land of the Listed Building enhancing its setting, and complementing the wider area.
- 6.26 Blackstone is illustrative of a collection of nucleated farmsteads that coalesce on an area of higher ground of Greensand and the Low Weald to the north. This is important in considering how the geology determined where the settlement of Blackstone was established. The views through the Conservation Area to the north are important in providing opportunities to understand and appreciate the relationship Blackstone has with the landscape.

- 6.27 The proposal to erection of 3-bedroom dwelling to the rear of Stockmans would obstruct views of the High Weald, and with it, the ability to understand the landscape context of Blackstone from this part of the Conservation Area. In addition, concern is raised that the scale of the proposed dwelling would harm the setting of the Listed Building by preventing the understanding and appreciation of the Listed Building and its connection with the surrounding landscape.
- 6.28 It is acknowledged that modern agricultural development to the west has resulted in some impact on the setting of the Grade II Listed Building of Stockmans, however it is considered that additional development to the rear which would further enclose the Listed Building, would result in the incremental erosion to the setting of the Listed Building, disconnecting it from its wider setting.
- 6.29 For the above reasons, it is considered that the erection of a 3-bed dwelling to the rear of Stockmans would detract from the important views that define the historic connection of the Listed Building to its wider setting, and inform the special character and historic distinctiveness of the Conservation Area itself. Furthermore, it is considered that the scale, massing, and overall design of the proposed dwelling, would result in the incremental erosion of the setting of the Grade II Listed Building, with the additional built form within this location considered to detract from the interpretation and appreciation of its connection with the wider landscape.
- 6.30 It is therefore considered that the proposed development would result in unacceptable harm to the special character of the designated Conservation Area, and would not seek to make a positive contribution to the character and distinctiveness of the historic environment. As such, the proposed development is considered to be contrary to Policy 34 of the Horsham District Planning Framework (2015) and paragraph 132 of the NPPF.

### **Amenity Impacts**

- 6.31 Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.32 The proposed dwelling would extend over two storeys and would be oriented to face north/south. A number of single storey projections would be positioned to the south, east and west, with the bulk over the two storey element positioned to the northern section of the dwelling. The proposed dwelling would be positioned approximately 24m from the rear elevation of Stockmans, with the proposed dwelling slightly set down due to the sloping ground level.
- 6.33 The proposed dwelling would include no first floor windows to the southern elevation, with the bulk of the two storey section positioned to the northern section of the dwelling. Given the siting of the proposal at approximately 24m from the ribbon of residential dwellings, and coupled with the orientation of the proposal, it is not considered that the development would result in harm to the amenities or sensitivities of neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

### **Highways Impacts**

- 6.34 Policies 40 and 41 of the HDPF state that development should provide a safe and adequate access, suitable for all users.
- 6.35 A total of 2 no. car parking spaces are proposed to the south of the site, with access provided from the existing lane to the west. This access is located off a 90 degree bend forming Blackstone Street. Following consultation with WSCC as the Local Highway Authority, whilst acknowledged that the layout of the site would not accommodate on-site turning, it is

considered that the proposed number of parking spaces are sufficient for the needs of the proposed dwelling. It is therefore considered that the proposed development would provide sufficient parking for anticipated users, and it is not considered that the proposal would have 'severe' impact on the operation of the highway network or result in harm to the character of the area from any limited overspill parking potential. As such, the proposed development is considered to accord with Policy 41 of the Horsham District Planning Framework (2015).

## Conclusion

- 6.36 The proposed development is located in the countryside, outside of any defined built-up area boundary, on a site not allocated for development within the Horsham District Planning Framework. The Council is able to demonstrate a 5 year housing land supply and consequently this proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements. Furthermore, the proposed development would be of a scale, mass and design that would be visually dominant and intrusive within the rural landscape character of the area, and would detract from the countryside setting of locality, as well as the setting of the Grade II Listed Building and designated Conservation Area.
- 6.37 It is therefore considered that the proposed development would be contrary to policies 1, 2, 3, 4, 26, 32, 33, and 34 of the Horsham District Planning Framework (2015).

## COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.38 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.
- 6.39 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	156.46	0	156.46
	<b>Total Gain</b>		
	<b>Total Demolition</b>		<b>34.69</b>

- 6.40 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.41 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

## 7. RECOMMENDATIONS

- 7.1 It is recommended that the application be refused for the following reasons.

### Reasons for Refusal:

- 1 The proposed development is located in the countryside, outside of any defined built-up area boundary, on a site not allocated for development within the Horsham District Planning Framework or an adopted Neighbourhood Plan. The Council is able to demonstrate a 5 year housing land supply and consequently this proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements. Furthermore, the

proposed development is not essential to its countryside location, and represents an isolated and unsustainable form of development. Consequently, it represents unsustainable development contrary to policies 1, 2, 3, 4, and 26 of the Horsham District Planning Framework (2015).

- 2 The proposed dwelling would be of a scale, mass and design that would appear as an intrusive addition within the backland setting, and would detract from and diminish the rural character and ambience of the countryside setting. The proposed development would therefore be contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).
- 3 The proposed dwelling, due to its siting, scale, massing and design, is considered to detract from the special character and significance of the Listed Building and designated Conservation Area, resulting in the loss of important views through the wider surroundings, and the incremental erosion of the setting and connectedness that defines the historic character and ambience of the Grade II Listed Building, its setting, and the designated Conservation Area. The proposed development would be therefore be contrary to Policy 34 of the Horsham District Planning Framework (2015) and paragraph 132 of the NPPF.

Background Papers: DC/18/1138