

Report to	<b>Planning Committee</b>
Date	<b>20 November 2018</b>
By	<b>Director of Planning</b>
Local Authority	<b>Horsham District Council</b>
Application Number	<b>SDNP/18/03927/FUL</b>
Applicant	<b>Mr G Davis</b>
Application	<b>Change of use of The Granary from self-contained ancillary accommodation to Castle Farm to provide an independent single dwelling.</b>
Address	<b>Castle Lane, Castle Farm New Barn Road Amberley BN18 9FL</b>

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**Recommendation:** That the application be Approved for the reasons and subject to the conditions set out in paragraph 10 of this report.

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

## I Site Description

The application relates to a detached single-storey annexe and double garages serving Castle Farm, Castle Lane, Amberley. The annexe/garage comprises a squared plan form, composed of a mix of stained timber boarding, stone facing, and red brick, and hosts pitched roofs finished with slate tiles. Two roller shutter doors are sited to the eastern and western elevations. The annexe/garage is accessed from Castle Lane via a privately maintained drive shared with the main dwelling, and includes its own walled garden area and pool. The annexe within the building hosts a kitchen/living room, two bedrooms, and a wet room.

## 2 Proposal

Planning permission is sought for the change of use of the existing annexe serving Castle Farm to an independent dwellinghouse. The existing walled garden and pool area would serve the new dwelling as amenity space, and would retain one of the attached garages to the rear of the building – the remaining garage would continue to serve Castle Farm. No external alterations to the building or the access and parking area to the dwelling are proposed.

The application has been brought to committee as the Local Planning Authority considers the proposal as a departure from the Local Development Framework (Horsham District Local Development Framework, 2007).

## 3 Relevant Planning History

DC/11/1481	Retention of swimming pool and pump house within walled garden (South Downs National Park)	Approved 28-SEP-2011
DC/10/1462	Minor material amendment following grant of planning permission DC/09/1347 (Erection of residential outbuilding	Approved 12-OCT-2010

	following demolition of existing outbuilding) for changes to doors and windows and changes to internal layout		
DC/10/1499	Variation of Condition 2 of planning permission DC/09/1347 (Erection of residential outbuilding following demolition of existing outbuildings) for the developments to be carried out in accordance with amended plans	Withdrawn	17-AUG-2010
DC/09/1944	Conversion of existing outbuilding to granny annexe and workshop/garage/mower store	Approved	26-JAN-2010
DC/09/1347	Erection of residential outbuilding following demolition of existing outbuilding	Refused	08-OCT-2009
DC/06/0938	Retention of works for conversion and extension of former granary to provide 1 dwelling and garage	Refused	12-MAY-2006
DC/05/2989	Revision of permission AM/12/01, comprising alterations to the piggery and link to form kitchen and utility room	Refused	17-FEB-2006
DC/05/1154	Revision of permission AM/12/01 (conversion of granary and piggery to single dwelling) comprising alterations to front porch, amended fenestration and revised details of kitchen/utility room.	Refused	27-JUL-2005
DC/04/2285	Conversion of granary and piggery unit to a single dwelling (amendment to previously approved AM/12/01)	Withdrawn	14-JAN-2005
AM/1/02	Double garage Site: The Granary Castle Farm Amberley	Approved	19-MAR-2002
AM/38/01	Triple garage and log store Site: Castle Farm Mill Lane Amberley	Withdrawn	13-NOV-2001
AM/12/01	Conversion of granary and piggery unit to a single dwelling Site: formerly known as The Granary Station Road Amberley	Approved	18-JUN-2001
AM/4/01	Variation of condition 6 of planning permission am/28/99 for temporary period of 2 years for storage use of building materials Site: Barn And Granary At Castle Farm Amberley	Approved	28-FEB-2001
AM/29/99	Conversion of main barn and granary to 2 residential units and demolition of pigsty and shed Site: Castle Farm Barns Amberley	Approved	27-APR-2000
AM/28/99	Conversion of main barn and granary to 2 residential units Site: Castle Farm Barns Amberley	Approved	27-APR-2000

#### 4 Consultations

##### **Parish Council Consultee**

Objection – the Parish considers the proposal contrary to Policy HD1 of the Amberley Neighbourhood Plan

##### **HO - Design and Conservation Officer**

No objection

##### **HO - Archaeology Consultant**

No objection

##### **WSCC – Highways**

No objection

#### 5 Representations

None received.

#### 6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the Horsham District Local Development Framework, and the following additional plan(s):

- Horsham District Local Development Framework: The Core Strategy (2007)
- Horsham District Local Development Framework: General Development Control Policies (2007)

The relevant policies to this application are set out in section 7, below.

#### 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 public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

## 7 Planning Policy

#### Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 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 also important considerations and should be given great weight in National Parks.

#### National Planning Policy Framework (NPPF)

The National Planning Policy Framework (2018) has been considered in the assessment of this application.

The following policies of the Horsham District Local Development Framework: The Core Strategy and General Development Control Policies (2007) **are relevant to this application:**

- HOCPI (HO)Landscape And Townscape Character
- HOCP3 (HO)Improving The Quality Of New Develop
- HODC4 (HO) AONBs
- HODC9 (HO) Development Principles
- HODC13 (HO) Listed Buildings

#### Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

- Outcome 1 – The landscape character of the National Park, its special qualities and local distinctiveness have been conserved and enhanced
- Policy 1 – Conserve and enhance the natural beauty and special qualities of the landscape and its setting
- Policy 50 – Housing and other development in the National Park should be closely matched to the social and economic needs of local people, and should be of high design and energy efficiency standards

#### The Draft South Downs National Park Local Plan

The South Downs Local Plan: Pre-Submission Local Plan was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 26 September to 21 November 2017, and the responses considered by the Authority. The

Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, and given the relative age of the **saved policies within the Horsham District Local Development Framework (2007)**, the policies within the **Submission South Downs Local Plan (2018)** are currently afforded **considerable** weight, depending on the level of objection received on individual policies.

The following policies are of particular relevance to this case:

- Core Policy SD1: Sustainable Development
- SD4: Landscape Character
- SD5: Design
- SD7: Relative Tranquillity
- SD12: Historic Environment
- SD13: Listed Buildings
- SD19: Transport Accessibility
- SD27: Mix of Homes

#### Neighbourhood Planning Document

The following policies of the **Amberley Neighbourhood Development Plan 2016-2032** are relevant considerations to this planning application:

- Policy EN 2 - Landscape Character And Open Views
- Policy EN 4 - Renewable And Low Carbon Energy
- Policy EN 5 - Conserve And Enhance The Heritage Environment
- Policy EN 6 - Dark Night Skies
- Policy HD 1 - Settlement Boundary
- Policy HD 2 - Quality Of Design
- Policy HD 3 - Housing Types, Sizes And Tenures
- Policy GA 3 - Car Parking

## **8 Planning Assessment**

### Principle of the Development

Policy CPI of the Horsham District Local Development Framework: Core Strategy (2007) states that the landscape character of the District will be maintained and enhanced. Activities which may influence this character should only take place where: the landscape is protected conserved or enhanced; protected landscapes, habitats and species are properly protected, and; the biodiversity of the District is conserved and enhanced.

Policy HD1 of the Amberley NDP states that development within the settlement boundary for Amberley will be supported where it accords with other policies of the development plan and other material considerations. Proposals outside the settlement boundary will only be supported in the exceptional circumstances set out in the national guidance and the development plan.

The site is located approximately 74m west of the built-up area boundary to the settlement of Amberley, and has been used as an annexe to the main dwelling, Castle Farm, since permission was granted for its use on appeal in 2009 (DC/09/1347). Subsequent to this, planning permission granted for the retention of a walled garden area enclosing the site in 2011 (DC/11/1481). Condition 3 attached by the appeal inspector on the 2009 planning application stipulated that the annexe shall only be occupied for the purposes ancillary to the main dwelling.

In practice, the creation of a new dwelling outside of the built up area is resisted, as development of this kind undermines the district's strategic pattern of development, and often represents

inappropriate development within this countryside. However, the Local Planning Authority is of the view that the annexe has become increasingly independent from the main dwelling over time, largely due to the creation of its own amenity area away from wider curtilage of Castle Farm. Therefore, the use of the annexe as a dwelling is not considered to amount to adverse harm on the setting or pattern of development in this location.

In addition to the above, whilst the site is located outside of the built-up area, the site is not considered to be located within a wholly isolated location, in which residents within the village would rely on the services of larger surrounding settlements regardless of their location within or outside of the built-up area. Further to this, the proposal would make sustainable use of an underused building, with the potential of contributing towards a balance mix of dwelling types sought under policy HD 3 of the Amberley NPD.

The Parish's concerns regarding the location of the unit outside of the built up area are noted. However, as outlined above, the settlement of Amberley relies on the services and resources provided by neighbouring settlements, thus occupant reliance on vehicular use is expected in and outside of the built up area of the village. Given the site's location close to the built up area boundary, coupled with the fact that the proposal would not require the creation of a new dwelling, the proposal is considered as an exception circumstance to the requirements of Policy HD 1 of the Amberley NPD, in addition to resulting in an overall benefit to the village's housing mix in accordance with Policy HD 3. With this in mind, the principle of the proposal is considered acceptable, subject to material planning considerations.

### Design and Appearance

Policy CP3 relates to improving the quality of new development. It confirms that high quality and inclusive design will be required for all development across the district.

Policy DC9 relates to general development principles. It seeks to ensure that development proposals make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

The proposal does not require any external alterations or extension to the building to accommodate the use of the annexe as a dwelling. The annexe / garage building currently comprises a domestic appearance, in which the use of the annexe as a dwelling would suit its environment. As such, no objection is raised with respect of these policies requirements.

It is noted that the annexe would include a modest curtilage, in which any extension or outbuildings within would be of the detriment to the amenities of any future occupants. Further to this, alterations to the roof would detrimentally increase the prominence of the annexe within this setting in the national park. As such, a condition is attached to restrict the site's permitted development rights in order to sustainably control development on the site.

### Amenity Impacts

Policy DC9 continues to state that 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.

The annexe neighbours the host dwelling, set approximately 6m from the north-east of Castle Farm. Whilst the physical relationship of the two buildings is close, the annexe does not host any windows directly facing Castle Farm, in which all windows and amenity area face away from the host dwelling. Whilst there would be a perceived increase in activity on the site compared to the current arrangement, this is not considered detrimental given the scale of the development.

The existing walled garden and pool area would form the amenity curtilage of the dwelling. Whilst modest in size, the area is considered to adequately serve the size of the unit. With this and the above in mind, the proposal is not considered to result in any harmful impact on the amenities of neighbouring occupants, and would provide suitable amenity space of future occupants.

The proposed converted annexe would host 2x double bedrooms, a bathroom, and a kitchen/living area in addition to a modest private walled garden area and pool. The dwelling would also benefit from its own attached double garage to the rear. The remaining double garage to the rear of the building would continue to be used by the occupant of Castle Farm. As such, the proposal is considered to provide adequate amenity space and a suitable standard of accommodation for the occupants.

### Highways

Policy 40 of the HLDF states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 relates to parking, and states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

The unit would be accessed via the main entrance to Castle Farm, and would share the driveway from the gated entrance from Castle Lane. This access arrangement would utilise the existing access and drive without unnecessarily creating new openings onto the street

The proposed unit would benefit from its own attached double garage to the rear, in addition space in front of the unit for cars. The host dwelling would maintain use of the remaining double garage, in addition to ample area to the front of the principle elevation (facing south) for parking. With this arrangement in mind, proposed unit could comfortably accommodate 3-4 cars (2 within the garage) without drastically reducing the level of parking to the host dwelling.

Following consultation with the Local Highways Authority, no objection was raised in regards to the proposed access, level of parking, or impact on the increased use on the highway. Conditions are attached to ensure that the parking arrangements, access, and cycle storage is installed prior to occupation. As such, no objections are raised on highways grounds.

## **9 Conclusion**

Whilst the site is located outside of the built-up area, the site is not considered to be isolated in relation to the main settlement, and is considered as an exception to the policy requirements of Policy HD 1 of the Amberley NPD. The conversion of the unit to a dwelling does not result in harm to the amenity of the neighbouring occupants, and would not result in harm to the operation and use of the highway. As such, the proposal is considered in accordance with national and local planning requirements.

## **10 Reason for Recommendation and Conditions**

It is recommended that the application be Approved for the reasons and subject to the conditions set out below.

2. The development hereby permitted shall be begun 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. The dwelling hereby permitted shall not be occupied until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body shall be requiring the optional standard for water usage across the development. The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

Reason: As this matter is fundamental to limit water use in order to improve the sustainability of the development.

4. The dwelling hereby permitted shall not be occupied unless and until provision for the storage of refuse and recycling has been made for that dwelling, details of which shall be agreed to in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

5. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with policy 40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

6. Prior to the first occupation of each dwelling, the necessary infrastructure to enable connection to high-speed broadband internet (defined as having speeds greater than 24 megabits per second) shall be provided.

Reason: To ensure a sustainable development that meets the needs of future occupiers

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A B E F and G of Part I of Schedule 2 (amend classes and schedule as necessary) of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

## **11. Crime and Disorder Implications**

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

## **12. Human Rights Implications**

- 12.1 This planning application has 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.

## **13. Equality Act 2010**

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

## **14. Proactive Working**

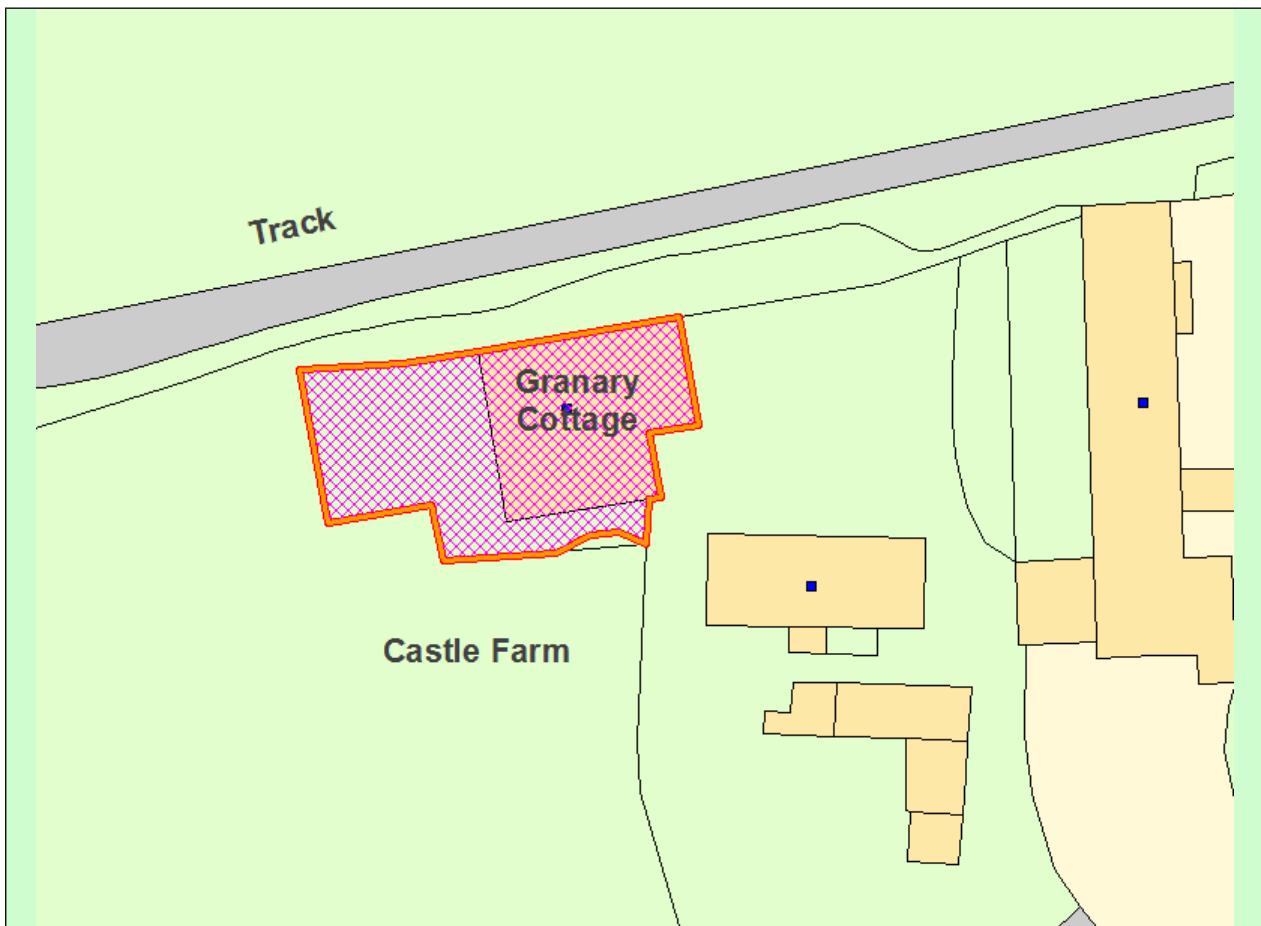
Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

**Tim Slaney**  
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**South Downs National Park Authority**

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Appendices Appendix I - Site Location Map  
Appendix 2 – Plans Referred to in Consideration of this Application  
SDNPA Consultees N/A  
Background Documents SDNP/18/03927/FUL

## Appendix I

### Site Location Map



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## **Appendix 2 – Plans Referred to in Consideration of this Application**

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - Location	NONE		24.07.2018	Approved
Plans - Block	NONE		24.07.2018	Approved
Plans - Elevations	NONE		24.07.2018	Approved
Plans - Floor	NONE		24.07.2018	Approved
Plans - Location	NONE		24.07.2018	Approved
Reports - Design and Access Planning and Heritage Statement	NONE		24.07.2018	Submitted

**Reasons:** For the avoidance of doubt and in the interests of proper planning.