



TO: Planning Committee South

BY: Head of Development

DATE: 18 February 2020

DEVELOPMENT: Erection of a detached two storey dwelling with a new vehicular/pedestrian access onto Littleworth Lane

SITE: Land Between South Lodge and Minster House Littleworth Lane Partridge Green RH13 8EB

WARD: Cowfold, Shermanbury and West Grinstead

APPLICATION: DC/19/0678

APPLICANT: **Name:** The Trustees of St Hugh's Charterhouse **Address:** St Hughs Monastery, Henfield Road Partridge Green RH13 8EB

REASON FOR INCLUSION ON THE AGENDA: The application, if approved, would represent a departure to the development plan; and more than 8 persons in different households have made written representation raising material planning considerations that are inconsistent with the recommendation of the Head of Development

RECOMMENDATION: To grant planning permission subject to the completion of an s106 agreement and conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks planning permission for the construction of a detached two-storey dwelling with new access and off-street parking. The proposed dwelling would be sited to the northern section of the site, with the southern section providing incidental curtilage. The dwelling would feature a hipped roof and front and rear gables, with the elevations comprising face brick at ground floor level with tile hanging above.
- 1.2 The application has been submitted with the intended aim of generating revenue to facilitate works to repair and make sound a grade II Listed Building which forms part of St Hughs Monastery, approximately 1400 metres to the north-east of the site. Further details on the relationship between the proposed development and St Hughs are set out in section 6 of this report.

DESCRIPTION OF THE SITE

- 1.3 The application site is situated in a rural location outside of any defined built up area boundary. The site is located on the eastern side of Littleworth Lane to the south of South Lodge and north of Minster House. To the west of the site is a terrace of two storey Victorian cottages; whilst to the north west are a row of terraced listed buildings which are set further back from the road than the Victorian terrace. The site has a hedge to its eastern and western boundary, with fields to the east.
- 1.4 The application site forms the western extent of the St Hugh's estate and is currently an open area of land with links through to the east. St Hugh's Charthouse is located on the western side of the A281, approximately 1500 metres south of Cowfold.

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 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 30 - Protected Landscapes
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
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

2.4 **Local Plan Review - Issues and Options document (April 2018)**

2.5 RELEVANT NEIGHBOURHOOD PLAN

The West Grinstead draft Local Plan has not been Made and is currently of limited weight.

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/14/2085

Construction of a terrace of 5 dwellings and associated parking and access

Application Refused on 15.12.2017

| | | |
|------------|--|-----------------------------------|
| DC/11/0571 | Construction of 12 single person and small family units or residential accommodation | Application Refused on 22.06.2011 |
| WG/25/01 | Enabling development of 16 houses and 1 separate annexe and access | Application Refused on 03.09.2002 |

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
- 3.2 **WSCC Highways:** Comment. This proposal is for the erection of a detached two storey dwelling and creation of a new access. The site is located on Littleworth Lane, a C-class road subject to a speed limit of 40mph.
- 3.3 A new access onto Littleworth Lane is proposed for the dwelling. Visibility splays were demonstrated in the plans but not to WSCC Standards. As Littleworth Lane is subject to a speed limit of 40 mph, the Design Manual for Roads and Bridges (DMRB) TD 9/93 is the standard in this location. This sets out a minimum stopping sight distance (SSD) of 120m in each direction at 2.4m from the back edge of the carriageway. The applicant is requested to provide maximum achievable visibility splays for the proposed access. The splays must intersect land only within control of the applicant or within the publically maintained highway and must be drawn to the nearside edge of the carriageway in both directions. If visibility splays of 120m are not achievable, the applicant can support their maximum achievable splays with a 7 day speed survey. *(N.B. Any further comments from the Highway Authority will be reported at Planning Committee).*
- 3.4 **Southern Water:** Comment. Southern Water requires a formal application for a connection to the foul sewer to be made by the applicant or developer. Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.
- 3.5 **West Grinstead Parish Council:** We have reservations about the sight lines with the access in its current position, but subject to this point being resolved to Highway's satisfaction, we have no objection to the application, subject to completion of a S106 Agreement stipulating that:-
- (a) the net proceeds of sale have to be applied exclusively to the repair of the Chapter House (this being the sole factor persuading us to agree a development on this site); and
 - (b) no more than one house and one house only (and any buildings incidental thereto, such as a garage, garden shed etc.,) shall be erected on the site. The siting of the proposed house rather to the side of the plot could be seen as opening up the possibility of a subsequent application for a second house. In view of the message that we have expressed very clearly to Father John and his advisers that we would only ever agree one house on the site, it would be nice to think that the applicants would offer us and local residents some reassurance on this point by repositioning the house in the centre of the plot.

PUBLIC CONSULTATIONS

3.6 41 representations have been received objecting to the proposal for the following reasons:-

- The development is in the countryside and not allocated in the Local Plan;
- The application would set a precedent for other land outside of settlement boundaries;
- If further development takes place in Littleworth the rural character will be lost;
- The dwelling would be out of keeping;
- Loss of trees and hedgerows;
- The dwelling could be converted into flats in the future;
- There is existing congestion which could be worsened;
- Inadequate visibility;
- Impact on neighbouring amenity;
- Impact on existing flooding issues;
- The proposal does not meet the criteria for enabling development;
- There are more suitable sites elsewhere within the monastery estate.

3.7 3 representations have been received supporting the proposal, as it is considered to be a modest development which would enable the Guest House and monastery to survive.

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

Background

6.1 The current and previous applications on the site, as set out in section 2.6 of this report, are linked to St Hugh's Charterhouse which forms the only extant monastery of the Carthusian Order in England. The monastery comprises a Grade II* Listed Building, and includes the Great Cloister which is over a kilometre in length and connects the 34 hermitages to the church and other buildings. The Monastery was built to house approximately 200 monks but has never been fully occupied, with 30 monks present in 1883, 70 in 1928, and 22 in 1984. It is understood that more recently 26 monks have been present within the Monastery. Historic England have previously advised that St Hugh's Charterhouse is one of Horsham's most significant heritage sites.

6.2 During the construction of the monastery the monks occupied a neighbouring building, dating from 1866, which is located to the south-eastern corner of the complex. This building is Grade II Listed in its own right and is an integral part of the wider monastery. This building is now known as the Guest House and provides guest accommodation (for visiting bishops and students) and meeting space for monks. The Guest House is in a vulnerable and deteriorating condition due to water ingress and significant structural defects. This current application is accompanied by extensive reports setting out the condition of the Guest House and the necessary repairs to secure the short to medium term future of the building.

- 6.3 As part of this and previous applications the applicant has advised that there are no funds through which to carry out the necessary works to the Guest House. The planning history for this site therefore represents a series of attempts to secure a residential development with the intended aim of generating income which can be used to carry out a series of remedial structural repairs to the Guest House. The applicant has advised that while this current proposal would not generate a level of income which would fully restore the Guest House it would provide sufficient capital to carry out urgent repairs, essentially making the building wind and weather-tight in order to secure its short to medium term future. The longer-term intention is that the existing maintenance team based within the monastery would be able to carry out future works with the intention of bringing the building as a whole back into meaningful use (in direct association with the monastery). The potential public benefit that this proposed development would enable at the Guest House is a material consideration in the determination of this application.

Planning History

- 6.4 Application ref: WG/25/01 was submitted in March 2001 and sought full planning permission for the construction of 16 houses (one with a detached annexe) and a new access road. This application was brought forward as 'Enabling Development' in order to support the maintenance and repair of major historic buildings within the monastic complex. The application was refused and dismissed at appeal, with the Inspector noting that:-

"while local plan EDC52 provides for enabling development, I do not accept that this policy should be applied in the case of the appeal proposal. To do so would result in the laudable objective of securing repair and renovation of St Hugh's Charterhouse monastery but at the expense of the despoliation of the settlement of Littleworth, in contravention of those development plan policies that provide for protection of the countryside.... It seems to me that the means to secure repair of this exceptional building, and to ensure its continued occupation, rests with the Appellants showing an equal degree in flexibility by accepting development of all or some of the alternative sites put forward."

- 6.5 Application ref: DC/11/0571 sought planning permission for the construction of 12 single person and small family units of residential accommodation. The application was accompanied by supporting information in respect of the condition of the buildings at the Monastery site, an assessment of the costs of repair, a proposed Section 106 agreement and evidence that attempts had been made to raise funds from other sources. In the supporting information submitted with the application, it was stated that:-

"This application on behalf of the Trustees of St Hugh's Charterhouse is based on legislation which enables the repair and conservation of historic buildings...accordingly the application is linked by a proposed 'Section 106' agreement to the repair of St Hugh's Monastery, a Grade II listed structure of which the large part has been brought into repair with the substantial assistance of English Heritage grant aid. However two severely damaged parts of this extensive complex...remain in near dereliction. The law and current principles of historic building conservation do not permit their demolition or decay. The Trustees cannot provide sufficient further capital needed for their repair. Consequently they seek to develop for residential purposes the land in their ownership within the general built-up area of Partridge Green/Littleworth..."*

- 6.6 It was further stated that the religious community in the Monastery may have to depart if permission is not granted. The Council's Conservation and Design Officer was consulted at the time regarding the application and noted the condition of the Guest House, which is of relevance to the current application:-

"This is an unusual application for what is known as "enabling development". Broadly, this is development that would normally be unacceptable in planning terms, but for the fact that it would bring public benefits sufficient to justify it being carried out (English Heritage "Enabling Development and the conservation of significant places" 2008) [the "EH enabling document"].

Firstly, the monastic community at St Hugh's should be recognised for their gradual restoration and repair of the monastery over the last 15 years. The complex is grade II and its size and details are breathtaking. The restoration and repair of the majority of the buildings over the last 15 years has obviously been a cumbersome task, at which the community has taken on board with the help of some grant aiding from English Heritage. As a complex and extensive historic asset, the monastery is unique in the district and probably in the country; English Heritage's letter of the 6th July 2010 on this application, describes the monastery as the "most remarkable complex of heritage assets" in the District's care. We should not lose sight of this.*

There is no doubt [in July 2010] that the guest house is in a poor condition. It is riddled with dry rot, and requires extensive repairs. The guest house is the original "Parknowle" house on the monastery site and it intrinsically linked with the monastery and its development history. The house is largely unused at present and is quite grand. Although it has been altered over the years, compared to other Victorian houses it retains a host of features, including a grand central staircase, original doors and fireplaces and the layout is typical of the "upstairs/downstairs" society of the era. Its historic character is evident on site and the building is desirable to retain, rather than demolish. English Heritage have also expressed this view previously and hence presumably, this application for enabling development."

6.7 The application was considered at Planning Committee in June 2011 and was refused for the following reasons:-

1. *The proposed development by virtue of its scale, form, layout and prominence would not reflect the existing pattern of development and therefore adversely affect the visual character of the area and the amenities of neighbouring properties.*
2. *It has not been demonstrated to the satisfaction of the Local Planning Authority that the development is the minimum necessary to secure funding for the identified restoration and conservation works to the Monastery and that the evaluation of alternative options which would cause less harm to established amenities has been significantly thorough and rigorous to show that any proposal would minimise disbenefits.*
3. *It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposal would not be prejudicial to highway safety since adequate visibility splays or a satisfactory Road Safety Audit have not been provided.*

6.8 A further application was submitted in 2014 for the construction of a terrace of 5 dwellings and associated parking and access (ref: DC/14/2085). As part of the consideration of this application it was concluded that:-

"Whilst the Local Planning Authority are sympathetic to the needs of the Monastery and would wish to assist the Monastery where possible, the principle and justification of development has to be considered extremely carefully and, if found to be potentially acceptable, needs to be backed up by very robust evidence of need and have due regard for the character of the area.

While details have been submitted to establish the need for the development, the Local Planning Authority is not of the view that all avenues relating to raising revenue within the order have been fully explored. It is also considered that insufficient detail relating to the future maintenance and use of the Guest House have been submitted and alternative options for development of other sites as set out by the previous Inspector appear not to have been scrutinized.

It is also considered that as it stands even if the justification for the development could be agreed the proposed scheme would not address the concerns regarding the impact upon the character of the area. It is therefore concluded that the public benefit associated with securing the future conservation of a heritage asset would not outweigh the disbenefits of departing from planning policies in this instance.”

6.9 The application was subsequently refused under delegated powers for the following reasons:-

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. The proposed development is therefore contrary to policies 1, 3, 4 and 26 of the Horsham District Planning Framework (2015).*
2. *The proposed development, by reason of the number, design, scale and massing of the proposed dwellings, would be out of keeping with the existing character and appearance of the area and would represent a form of development which would be detrimental to the rural character of the area. The proposed development is therefore contrary to policies 25, 32 and 33 of the Horsham District Planning Framework (2015).*
3. *It has not been demonstrated that the development would provide a safe and suitable access, having regard to visibility splays over Littleworth Lane. The proposed development is therefore contrary to policy 40 of the Horsham District Planning Framework (2015).*

6.10 This application mirrors the basis for the preceding applications on the site, seeking a dwelling on the site in order to generate income which can be used for works which are clearly necessary at the Guest House, and which have been needed over a prolonged and continuous period of time.

Principle

6.11 Policy 2 of the HDPF seeks to maintain the District’s unique rural character, whilst ensuring that the needs of the community are met through sustainable development that has suitable access to services and local employment. The spatial strategy as set out in the HDPF is to focus development in and around the key settlement of Horsham and allow for growth in the rest of the District in accordance with the identified settlement hierarchy. Policy 3 of the HDPF states that development will be permitted within towns and villages which have a defined built-up area. The site the subject of this application is located outside of any defined built-up area boundary.

6.12 As the application site lies outside of any settlement boundary, it is considered for the purposes of planning policy to be within a countryside location. The development would

therefore be contrary to the approach set out in policies 2 and 3 of the HDPF. In addition, there is no evidence to suggest that the proposed dwelling would be essential to its countryside location, and the proposal would also therefore conflict with Policy 26.

- 6.13 While Littleworth is currently an unclassified settlement it has been put forward as a 'secondary settlement' within the Local Plan Review – Issues and Options document (April 2018). The aim of 'secondary settlements' is to identify hamlets which may be able to support a degree of infill to support rural communities. This could be through the provision of rural worker accommodation or the conversion of existing buildings to residential. In respect of Littleworth the Issues and Options document states:-

Littleworth is a small hamlet which is predominantly centred along Littleworth Road, a short distance north of Partridge Green, which contains a reasonable level of services and facilities. There are a number of allotments within Littleworth which are available for the use of residents in both Littleworth and Partridge Green, and helps to provide evidence of an established community in this area. The dwellings in this area are a mix of sizes and ages which help to contribute to a sense of place.

- 6.14 The suggested policy wording within the issue and options document suggests that planning permission will be granted for residential infilling within defined secondary settlements provided that the site is a small gap or plot within an otherwise built-up settlement form; is limited in scale to reflect the existing scale and character of the settlement function and form; and does not result in significant increase in activity including traffic movement on narrow and rural roads.
- 6.15 The application site is not though within the draft boundaries of the Littleworth secondary settlement, and given the considerable frontage of the site it could not reasonably be considered an infill plot. The emerging policy framework, as set out in the Issues and Options document would not therefore lend any support to the application.
- 6.16 It is therefore considered that the principle of development on the site would not be supported by the HDPF, or documents relating to the Local Plan Review.
- 6.17 The NPPF states (at paragraph 202) that, 'Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.' While there is no definition of enabling development, Historic England advise that enabling development is development that would be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out, and which could not otherwise be achieved. The key public benefit to significant places is usually the securing of their long-term future. It must therefore be considered whether the proposed residential development can be supported as a form of enabling development which would generate a level of public benefit which would be significant enough to justify it being carried out.

Character and appearance

- 6.18 Policies 25 and 26 of the HDPF seek to protect the natural environment and landscape character of the District, including the landform, development pattern, together with protected landscapes and habitats: development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation.
- 6.19 Policies 32 and 33 of the HDPF stipulate that new development should be of a high standard of design and layout, with regard to natural and built surroundings, in terms of its scale,

density, massing, siting, orientation, views, character, materials and space between buildings.

- 6.20 The proposed dwelling has been significantly amended as part of the application process, with the overall scale of the building being reduced by approximately 49%. It is considered that the resulting footprint and scale of the proposed building and its siting within the proposed curtilage, which would reflect the linear arrangement of building along Littleworth Lane, would be commensurate to surrounding development. The proposed design would feature a hipped roof with subservient front and rear gables with materials dominated by face brickwork and clay tiles. This approach would incorporate design features present in surrounding development and the resulting appearance would not be incongruous or out of keeping with the prevailing character or appearance of the settlement.
- 6.21 It is acknowledged that the siting of the proposed dwelling would leave an area of undeveloped land to the southern section of the curtilage. This layout would not though be uncharacteristic of Littleworth, where similarly sized curtilages are already associated with single dwellings, most notable at South View (opposite the application site) and Haynes (to the south along Littleworth Lane). The current application does not proposed any development on the southern section of the site and any future application would need to be considered on its own merits.
- 6.22 The application includes the formation of a new vehicular crossover to serve the proposed dwelling. There is no objection in principle to such an access, with numerous examples already existing along Littleworth Lane. The frontage of the site is currently marked by a hedgerow and intermittent trees which creates a continuous line of landscaping along a sizeable section of Littleworth Lane. The proposal would result in the loss of a section of hedgerow in order to create the access. The resulting appearance would not though be dissimilar to that which already exists elsewhere along Littleworth Lane, including at Minster House to the south, and the proposal need not result in harm to the established character or appearance of the lane, which to the north and south incorporates more varied boundary treatments and frontages (the relationship between the frontage planting and visibility to the access is considered in a later section of this report). Within the wider site there is no significant planting which would be adversely impacted by the development
- 6.23 It is therefore considered that the proposed development, and the provision of one additional unit of housing, would not be harmful to the character or appearance of the area, and therefore accords with the above policies. In order to ensure a successful build a number of conditions are recommended to secure appropriate details of existing and proposed ground levels, materials, landscaping (to include hard surfacing, boundary treatments and retention of existing and additional planting).

Impact on amenity

- 6.24 Policy 33 of the Horsham District Planning Framework 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.
- 6.25 Despite the overall scale of the proposed dwelling the size of the site is such that appreciable separation would remain from both shared side boundaries. This siting coupled with the linear form of the building would be sufficient to ensure the development did not result in any significant harm to neighbouring amenity. The introduction of an additional residential unit in an established residential location would not be expected to create potential for harmful levels of noise or disturbance, and the proposal would not result in a significant increase in the level of activity within Littleworth.

Highway impacts

- 6.26 Policy 40 of the HDPF recognises the need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the HDPF stipulates that development must provide adequate parking and facilities to meet the needs of anticipated users.
- 6.27 The development would create a new access point for the dwelling with visibility available in both directions. The Highway Authority has commented that it should be demonstrated visibility splays either side of the access only intersect land controlled by the applicant or within publically maintained highway; if this is not possible then reduced splays would need to be informed by a speed survey. It is though noted that as part of a recent development for a new dwelling at Abbots Lea (to the south of the site), ref: DC/19/0908, visibility splays below that set out in guidance were accepted by the Highway Authority as being acceptable, with a number of historical access onto Littleworth Lane not providing visibility splays which meet current standards. It was though confirmed as part of the Abbots Lea application that there were no recorded accidents in the vicinity of the site for the last 5 years.
- 6.28 It is considered necessary to strike a reasonable balance between providing adequate visibility and preserving the character of the settlement, which in this particular section is in part derived from hedgerows to front boundaries. While the submitted plans do not demonstrate full compliance with standards set out in the Manual for Streets there are no apparent reasons why further details could not be secured through condition requiring details of maximum visibility splays together with any necessary works to landscaping along the frontage of the site. This approach will allow further details to be provided at a later date to achieve an acceptable balance. A further condition is recommended to secure detailed constructional drawings of the proposed access / crossover. It is considered that the detail required through condition would ensure the development did not result in any adverse impact on users of adjoining highways, or on the character or appearance of the locality.
- 6.29 The site layout would provide sufficient parking for the expected parking generated by the proposal and no displaced parking would therefore result. The proposed layout would provide on-site manoeuvring space which would allow vehicles to exit onto Littleworth Lane in a forward gear.
- 6.30 There is sufficient space within the site for the storage of cycles and no further details are considered necessary in this regard.
- 6.31 It is considered that subject to the recommended condition the proposal would not have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

Climate Change

- 6.32 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:
- Water consumption limited to 110litres per person per day
 - Requirement to provide full fibre broadband site connectivity
 - Dedicated refuse and recycling storage capacity

- Cycle parking facilities
- 1 electric vehicle charging point

6.33 A number of conditions are recommended where necessary to secure the above measures and this would ensure the application suitably reduces the impact of the development on climate change, in accordance with local and national policy.

Other considerations

Drainage

6.34 It is noted that a number of representations have raised concerns relating to the impact of the development on sewerage infrastructure. Southern Water has not though advised of any capacity issues in this locality, with any connection to the foul sewer requiring their agreement. A condition is however recommended to secure details of the proposed connection for foul water disposal, as well as surface water, and this approach is considered sufficient to ensure no adverse impact on infrastructure or flooding.

Enabling development

6.35 The application has been submitted as a means of generating funding to facilitate repairs to the Guest House, a grade II Listed Building which forms an integral part of St Hughs Monastery, itself a Grade II* Listed Building. The applicant has advised that without the funding generated by this application there is a significant risk that the Guest House will fall in further disrepair and may require demolition works to stabilise the structure. This view is supported by a structural report which accompanies the application, and which concludes that 'permanent repairs....should be installed as a matter of urgency to prevent permanent loss of historic fabric'. The applicant has therefore submitted this proposal as a form of enabling development.

6.36 The NPPF (at paragraph 202) states that:-

“Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.”

6.37 Further guidance is provided in Historic England's Good Practice Advice Note on *“Enabling Development and Heritage Assets”* (Published in 2000). While this note is not adopted planning policy it is generally accepted as authoritative guidance on enabling development. The Note recognises that *‘enabling development is a planning mechanism which permits departure from planning policies in appropriate cases, and so enables conservation of a relevant heritage asset in cases where otherwise the future of the asset would not be secured’*.

6.38 The application is accompanied by substantial supporting information setting out the work required to fully restore the Guest House, with the scope and level of works exceeding that which would be possible from any revenue generated by this current application. In this respect the application could not be seen as securing the long-term future of the Guest House. It would though provide a tangible short to medium term benefit which would allow for urgent repairs to be carried out while allowing continued use of the building. The applicant has advised that once the Guest House has been restored to a structurally sound condition future repairs, maintenance and restoration could be undertaken by the monastery, and it is evident that the main monastic site undergoes a continuous cycle of works to maintain its current condition.

- 6.39 The previous planning refusal on the site, ref: DC/14/2085, raised a series of concerns, including that all other avenues related to raising revenue had not been explored, that there was insufficient detail relating to the future maintenance of the Guest House, and that even if sufficient justification were available the development would have been harmful to Littleworth.
- 6.40 This current application is materially different from the previous application, in that it proposes a development which is not considered harmful to the character or appearance of Littleworth. The proposed dwelling would not be in an isolated location, and while there is a clear conflict with policies within the HDPF, most notably 3, 4 and 26, the extensive planning history of the site suggests that there is no alternative form of development, either on this site or others, which could come forward and make the same contribution to the future of the Guest House as the current proposal.
- 6.41 The proposed development has potential to secure the conservation of the Grade II Listed Guest House building and support its continued use as part of St Hughs. It is good practice, as set out in the Historic England Advice Note, to make decisions (in respect of enabling development) in light of a realistic view of the consequences of refusal of planning permission. In this instance the applicant has advised that in the absence of an acceptable enabling development being delivered sections of the Guest House would need to be closed and remedial works, to include some demolition, undertaken.
- 6.42 As set out in preceding sections of this report, it is considered that the proposed development would not result in any adverse impact on the character or appearance of Littleworth, on neighbouring amenity or the highway network, with no other unacceptable impacts identified. In the absence of any harm and taking into account the potential to secure the future of the Guest House as a designated heritage asset it is considered that the benefit delivered by the proposal would outweigh the conflict with the HDPF regarding housing in this location.

Conclusion and Planning Balance

- 6.43 There is little doubt that securing a future for the Grade II Listed Guest House represents an important public benefit. There is no evidence, either as part of this application or based on the planning history of the site, that a similar benefit could be secured through a development which fully accorded with relevant policies of the HDPF. It is acknowledged that the development cannot be considered to fully meet the requirements of an enabling development since the long-term public benefit would be limited, primarily since the proposal would not allow for the full restoration of the Guest House. Notwithstanding, it is clear that the Guest House requires a significant amount of work in order to safeguard its immediate future in the short to medium term. Further, Historic England has previously been satisfied that the Guest House plays an integral and essential role within the life of the community and that this role is fundamental to the continued use of the site by the community. It is therefore considered that the development would be of a clear benefit for the Guest House and wider monastery. The benefit of ensuring the continued use of these buildings for their original and intended purpose is considered to be a significant public benefit which weighs in favour of the proposal.
- 6.44 The proposed development would not result in the creation of an isolated dwelling, with the amendments secured as part of the application process sufficient to ensure no permanent or long standing harm to the character or appearance of Littleworth, to neighbouring amenity or the highway network, or any other material planning consideration. In the absence of any tangible harm it is considered that the benefit to the future of the Grade II listed Guest House building outweigh the disbenefits of departing from those policies.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.45 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.
- 6.46 **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 | 220.4 | 0 | 220.4 |
| | | Total Gain | 220.4 |
| | | Total Demolition | 0 |

- 6.47 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.48 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 That planning permission be granted, subject to the completion of a s106 agreement to ensure that no development takes place until listed building consent has been submitted and obtained for repairs to the Guest House and that net proceeds from the development are not used for any other purpose than carrying out the Guest House repairs, and to the following conditions:-

- 1 A list of the approved plans
- 2 **Pre-Commencement Condition:** The development hereby approved shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following relevant measures:
 - i. An introduction consisting of a description of the construction programme, definitions and abbreviations and project description and location;
 - ii. Details of how residents will be advised of site management contact details and responsibilities
 - iii. Detailed site logistics arrangements, including location of site compounds, location for the loading and unloading of plant and materials, site offices (including height and scale), and storage of plant and materials (including any stripped topsoil)
 - iv. Details regarding parking or site operatives and visitors, deliveries, and storage;
 - v. The method of access to and from the construction site
 - vi. The arrangements for public consultation and liaison prior to and during the demolition and construction works – newsletters, fliers etc.
 - vii. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination
 - viii. Locations and details for the provision of wheel washing facilities and dust suppression facilities

The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 3 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** No development shall commence until precise details of the existing and proposed finished floor levels and external ground levels of the development, including the new access, in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement Condition:** No development shall commence until the vehicular access hereby permitted has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The access shall be retained as such thereafter.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement Condition:** No development shall commence until details of visibility splays for the access serving the development have been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of any planting to be removed along the frontage of the site, which shall be kept to the minimum necessary to create the splays. The visibility splays shall be provided in accordance with the approved details prior to first occupation of the dwelling. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 7 **Pre-Commencement Condition:** No development shall commence until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:-

- Details of all existing trees and planting to be retained, including details of the retained hedgerow to the frontage of the site;
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details;

- Details of all hard surfacing materials and finishes;
- Details of all boundary treatments

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows, roofs and doors of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be first occupied unless and until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be occupied until the cycle parking facilities serving it have been provided within the side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 11 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 12 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be occupied until optional requirement G2 to the Building Regulations 2010 (as amended) to limit water usage of that dwelling to 110 litres per person per day has been achieved. Water limiting measures to meet this standard shall thereafter be retained.

Reason: As this matter is fundamental to limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 13 **Pre-Occupation Condition:** No part of the development shall be first occupied until the accesses and vehicle parking and turning spaces have been constructed in accordance with the approved plan. The access and parking and turning spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 14 **Pre-Occupation Condition:** Prior to the first occupation of the dwelling hereby permitted, a scheme for a fast charge electric vehicle charging point for that dwelling with a minimum specification of 7kW mode 3 with type 2 connector shall be submitted to and approved in writing by the Local Planning Authority. The means for charging electric vehicles shall be installed in accordance with the approved scheme prior to first occupation of the relevant dwelling and shall be retained as such thereafter.

Reason: To ensure the provision of facilities for the charging of electric vehicles, and to mitigate against the effects of climate change in accordance with Policies 37 and 41 of the Horsham District Planning Framework (2015)

- 15 **Regulatory Condition:** 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 or E of Part 1 within Schedule 2 of the order shall be erected, constructed or placed within the curtilage 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 order to protect the privacy and amenity of the occupiers of the neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 16 **Regulatory Condition:** No works for the implementation of the development hereby approved, including works of demolition, shall take place outside of 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

Reason: To safeguard the amenities of the occupiers of the neighbouring residential properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/19/0678
DC/14/2085
DC/11/0571
WG/25/01