



PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 9th March 2021

DEVELOPMENT: Erection of 2No. double storey dwellings with associated works (Full Application).

SITE: Land at Gate Cottage The Street Thakeham West Sussex RH20 3EP

WARD: West Chiltington, Thakeham and Ashington

APPLICATION: DC/20/1788

APPLICANT: **Name:** Mr and Mrs Binnington **Address:** C/O Agent

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

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission for the erection of two semi-detached dwelling houses to the south of Gate Cottage with associated parking and works. The two storey dwellings would be orientated to the east, with a combined width of 19.9 metres, a depth of 5.7 metres and an external floor area of 112sqm each. The proposed dwellings would sit 1 metre higher than the access road and public right of way level to the east.
- 1.2 A set of steps would provide access up to the front of each property with a low brick wall and railings along the sites frontage. The dwellings have a simple cottage design with pitched roofs and pitched roof gable features to the front eastern elevations. The dwellings would incorporate an eaves height of 5 metres from the proposed ground level and a total ridge height of 7.9 metres.
- 1.3 The proposal would involve some earthworks and changes to the existing topography of the site which currently incorporates a steep bank lined with trees. The proposed dwellings would be set into the bank, with the first floor rear level of the dwellings sitting approximately level with the elevated grassed fields adjacent to the site to the west. The rear gardens to the west of the dwellings would extend between 8 metres and 18 metres in length, and would be elevated approximately 3 metres above the ground floor level in which the proposed dwelling houses would be situated.
- 1.4 Two tandem parking spaces would be provided to the north of the northernmost property and to the south of the southernmost property. Retaining brick walls measuring 0.5 metres

in height are proposed immediately to the north and south of the tandem parking spaces within the development. Retaining brick walls measuring 0.5 metres in height are also proposed to the south (rear) of the parking spaces which would be elevated 1.2 metres in comparison to the road level.

- 1.5 Vehicular access would be from the access road to the east of the site which continues on from The Street to the north. The proposal would include a total of four parking spaces, which would comprise two parking spaces per dwelling arranged to the side of each property in a tandem parking arrangement.
- 1.6 During the consideration of this application, amended plans have been received which have made the following revisions to the original plans submitted:
 - The development has been moved four metres further to the south to move it further away from the Ash tree in the northern part of the site.
 - The development has been moved 2.8 metres further to the east, towards the access road.
 - The height of the brick retaining walls to the west of the car parking spaces have been reduced from 1.6 metres to 0.5 metres in height.
 - An updated Arboricultural Impact Assessment and Tree Retention plan to reflect the re-located position of the development.

DESCRIPTION OF THE SITE

- 1.7 The site is located within the built-up area boundary and within the Parish of Thakeham. The site forms a grassed piece of land which incorporates a steeply tree lined bank which lies to the south of Gate Cottage. Gate Cottage is a Grade II Listed building located on the south side of The Street. The site also lies within the Thakeham Conservation Area which runs along the Street to the north and includes a number of listed buildings.
- 1.8 Gate Cottage, is a detached two storey dwelling which has associated land which extends to the southerly rear and south-eastern side. The existing dwelling, Gate Cottage is built into the hill, as is the case with the majority of the properties along The Street. The westerly rear garden serving the dwelling is raised in height up to the first floor level of the dwelling house. The Historic England description for Gate Cottages describes the building as:

“C17 or earlier timber-framed cottage with painted brick infilling. Tiled roof. Casement windows. Crow-stepped chimney breast at west end. Two storeys. Two windows.”

- 1.9 There are residential properties to the north and north-east that follow the linear line of The Street and typically comprise two storey properties. To the south and west of the site, the area becomes more rural in nature with the Public Right of Way 2483 to the west of the site providing access to a series of interlinked Public Right of Ways. Further to the south of the site lies, the Grade II Listed Building, Thakeham Place along with Thakeham Place Farm and a pair of two semi-detached cottages, 1 & 2 Wood Cottages. To the west of the site, there are large open agricultural fields.

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:

National Planning Policy Framework

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 15 - Strategic Policy: Housing Provision
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
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 41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

Thakeham Neighbourhood Plan – January 2017

Thakeham 1: A Spatial Plan for the Parish
Thakeham 6: Design
Thakeham 7: Heritage Assets
Thakeham 10: Green Infrastructure & Valued Landscapes

PLANNING HISTORY AND RELEVANT APPLICATIONS

None relevant.

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Landscape Architect:** *(Initial Comments):* Comment. Although there are no landscape details being submitted at the application stage these can be conditioned if the application is approved. However, from planting shown on the indicative street scene provided we would like consideration to be given to the planting of taller species to screen the retaining wall at the first level behind the proposed car parking spaces. Any issues regarding existing trees and the proposed retaining wall to the new dwelling to the north, will be commented on by the Tree Officer.
- 3.3 *(Comments: Amended Plans):* Comment. No additional comments to make. Please also include a boundary treatment condition.
- 3.4 **HDC Conservation:** *(Initial Comments):* No Objection. The proposal for two dwellings on the south side of the lane leading to Thakeham Place are sited to reinforce the ribbon type development pattern of the hamlet. The proposed pair will be built outside a perceived envelope of development in a part of the hamlet not developed before and this will result in a conspicuous change to views from the bottom of The Street as the lane turns towards St Mary's church. The views out of the conservation area are important in understanding the historic hamlet's position in the landscape. Am satisfied that although the proposed houses will be conspicuous in views to the south the houses will not prevent an appreciation or dilute an understanding of this relationship between the hamlet and its rural setting.

- 3.5 In terms of design, detailing and materials satisfied that in general the houses reflect an acceptable interpretation of a domestic vernacular. This design approach is also illustrated by New Cottages on the opposite side of the lane and a not unexpected design approach in a historic rural settlement. There are two aspects of the design that still concern me however. The first is the height of the retaining wall. Although it has been stepped to provide a break and a planting area this is not sufficient to prevent it appearing as an overpowering feature. This will be exacerbated by the need to place railings on top and draw further attention to the overall height of the wall. It will be necessary to grade the land behind to lower this part of the wall by a half of its height. If railings are still required then these will be set against a backdrop of the bank rather than sky when looking up from the lane. I note the comment that the design of the houses might more closely resemble Gate Cottage in form. I appreciate the intent but experience suggests any attempt at simplifying the design will result in a bland building reminiscent of mass produced housing. It is important the houses have architectural interest. To this end the second area of concern is the relationship of the gable verge with the eaves. It is important that this junction is detailed to give prominence to either the gable or the principal roof slope. The verge should either over sail the eaves and terminate independently or the eaves protrude beyond the verge. This can be dealt with via condition. It will be important that the design is not diluted and I have suggested some other conditions below to ensure a successful build.
- 3.6 Although the impact of the proposed houses on the character of the conservation area and setting of the listed building will be perceptible this will not result in harm.
- 3.7 *(Comments: Amended Plans):* Comment. The amended scheme has alleviated concerns regarding the perceptible scale and massing of the retaining wall. The lower overall height of the brickwork and the slope of the garden will reduce the impact of this necessary feature.
- 3.8 **HDC Arboricultural Officer:** *(Initial Comments):* Objection. The main consideration in regard to trees is the position of the proposed driveway and retaining walls within the root protection area (RPA) of the three trees indicated as T1, T2 and T3 on the tree retention plan. T1 is an Ash and T2 and T3, both Beech. The trees are protected by virtue of their position within in the Thakeham Conservation Area.
- 3.9 The recent removal of trees and ground vegetation in the immediate area has improved the public amenity value of trees T2 and T3 (Category A) trees and T1 (Category B) tree, and they are readily visible from the main public view point to the north on Crays Lane. T2 and T3 in particular are considered to be an important feature of the Conservation Area, and this is supported by their classification as category A trees. The position of T3 would place a high percentage of its crown over the proposed parking area for the dwelling. This would likely put it under pressure from any future residents in the form of surgery to abate general tree related nuisances, such as, shading, leaf drop and bird droppings falling on to the parked cars below.
- 3.10 The Preliminary Tree Protection Plan shows the two retaining walls to the north west of the proposed dwellings are within close proximity to T1, T2 and T3. To the south east of T3 the wall is situated at a distance of around 2.5m and 4m from T2. To the south west of T1, T2 and T3 the second wall is situated at a distance of roughly 2m from all three trees. All three trees lie on a moderately steep slope south-westwards into the site, bases being approximately 1m above that of the adjacent lane. The extent of the ground excavations required within the RPA of the trees and within around 2m from their trunks, will result in extensive root severance. The amount of root loss/damage that will result from the excavations required to prepare this area for the erection of a retaining wall, will cause much more severe damage and would act as an open door to tree decay pathogens thus reducing the safe useful life expectancy (SULE) of the trees.

- 3.11 To prevent the damage to the trees roots, the retaining walls and development would need to be moved at least 4m to the south east of its current position. This would establish a more harmonious relationship between proposed development and the trees. Moving the development would push it further in to the RPA of T6, an Ash with a category C rating indicated for retention. However, this tree is a poor quality specimen that is showing signs of infection from Ash dieback. This tree has no real future potential and will likely require removal in the not too distant future because of this; it's loss would not have a detrimental effect on the character and amenity of the Conservation Area.
- 3.12 *(Comments: Amended Plans):* No Objection. The main considerations as to the suitability of this proposal, in regards to trees is the position of the development outside of the Root Protection Areas (RPA) of the trees to be retained and the quality of the trees indicated for removal.
- 3.13 The proposed site plan shows the parking area and the majority of the retaining wall which is connected to the development on the north-west side of the site will be situated outside of the Root Protection Area (RPA) of the trees in this area. These trees are situated in a prominent position within the Thakeham Conservation Area and are consider to have a good level of public amenity value. The retaining wall does encroach slightly into the RPA of the southernmost tree, however, it is generally accepted that trees are able withstand a small amount of ingress within the RPA without it having a detrimental effect on their overall structural condition or health. The level of encroachment within the RPA indicated on the plans is within the recommended limits and I consider this to be acceptable.
- 3.14 The trees indicated for removal are not rare nor do they have any special or particular merit. Should the application be permitted I do not consider that the removal of these trees will have an adverse effect on the character and amenities of the Conservation Area. I have no objection to their removal.

OUTSIDE AGENCIES

- 3.15 **Ecology Consultant:** No Objection. The site is also within the wider conservation area for The Mens Special Area of Conservation (SAC) and the wider conservation area for Ebernoe Common SAC. The LPA will need to prepare a Habitats Regulations Assessment screening report for this application so any significant impacts e.g. lighting, or severance of flightlines needs to be assessed for impacts on Barbastelle bats. We note that the development will not affect any of the sensitive features/threats to the Habitats sites within scope or the associated Annex II bat species. We therefore advise the LPA that, without mitigation, the development is not likely to result in a 'likely significant effect' (LSE) to The Mens SAC, Ebernoe Common SAC or Arun Valley SAC, SPA and Ramsar site. Therefore, there is no need to proceed to HRA Stage 2: Appropriate Assessment.
- 3.16 The proposed reasonable biodiversity enhancements which have been recommended to secure measurable net gains for biodiversity are supported. Conditions are recommended to secure implementation of these enhancements and the approval of a Biodiversity Enhancement Strategy and Wildlife Sensitive Lighting Scheme.
- 3.17 **WSCC Highways:** Comment. Given the direct access alignment arrangements onto The Street from the private access road, there are no concerns regarding the use of this junction by an additional two dwellings.
- 3.18 The Planning Authority may wish to consider consulting with WSCC Public Rights of way over the impact this proposal may have on the Public Right of Way, Bridle Way. Given the status as a public right of way it would be beneficial if 2 x 2 pedestrian visibility splays were provided either side of the access points onto the Public Rights of Way.

- 3.19 The two off-street car parking spaces would meet the minimum anticipated demand for dwellings of this size in this location. Electric Vehicle Charging Points and Cycle storage should be secured by conditions.
- 3.20 **WSSC Public Rights of Way:** No comment received. Any subsequent comments will be reported verbally at the Committee Meeting.
- 3.21 **Southern Water:** Comment. The impact of any works within the highway/access road on public apparatus shall be assessed and approved, in consultation with Southern Water. Southern Water requires a formal connection to the public foul sewer.

PUBLIC CONSULTATIONS

3.22 **Thakeham Parish Council:** (*Initial Comments*): Strong Objection:-

- Would not meet the expectations around developments in Conservation Areas relating to '*improving or enhancing the character and appearance of the Conservation Area*'.
- Will infill up to the edge of the Conservation Area
- Impact on views into and outside of the Conservation Area, causing substantial harm, particularly in relation to rural views to the south and from the listed buildings to the north.
- Substantial visual harm caused by topography changes and dominant retaining walls intruding into the view from the Street/Crays Lane junction, and other points along the right of way.
- Visual impact of vehicles parked to the side of the dwelling will change the character of those views from rural to suburban.
- Impact on existing trees
- Design of dwelling should more sympathetic to Gate Cottage as the adjacent heritage asset.

3.23 **Thakeham Parish Council:** (*Comments: Amended Plans*): Strong Objection:-

- Would materially impact on views out of the Conservation Area from the junction of The Street and Crays Lane, and into the Conservation Area from the south.
- Introducing built form at this location creates the potential for 'substantial harm' to the Conservation Area and its green setting.
- Adding two further open-market houses does not provide any 'clear and sustained community benefit' to outweigh the harm identified.
- Should approval be considered then conditions to mitigate against the concerns raised should be included (additional planted screening around the houses, external finishes/materials to be in muted colours and external lighting plan to minimise light pollution.)

3.24 Two letters of objection have been received from two separate households. The comments made are summarised below:

- Fails to preserve or enhance the character of the Conservation Area.
- Harms key views within the Conservation Area.
- Retaining walls are conspicuous.
- Intrusion on the heritage landscape at a location in the conservation area where tourists to the village, particularly groups of ramblers, stop, to read the heritage plaque and admire the views.
- Parked vehicles would appear prominent from road.
- Loss of trees.
- There is no community benefit to outweigh harm to Conservation Area.

3.25 One letter of support has been received, the comments made are summarised below:

- Will provide potential housing for workers at the nearby farm.
- Design suits the high-sided character of The Street as it extends into the farm.
- Will provide nice living space without affecting the view from the footpath behind.

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 ASSESSMENT

Principle

6.1 Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages which have defined built up areas. Any infilling will be required to demonstrate that it is of appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy.

6.2 The application site lies within the built up area of Thakeham, which is categorised as a 'smaller village' within policy 3 of the HDPF. These are villages with a limited services, facilities, social networks but with good accessibility to larger settlements. Residents are reliant on larger settlements to access most of their requirements.

6.3 Given the location of the site within the built up area, it is considered that the principal of infill development would be acceptable subject to other material considerations as outlined in the following sections of this report. The site is sited at the southern end of the built up area boundary of Thakeham, close to existing residential development comprising, Gate Cottage, located 29 metres to the south, and 1 and 2 New Cottages, located 10 metres to the west of the application site. Whilst it is noted that there are a number of issues to be carefully considered, Officers are of the view that the site comprises a logical location, close to existing residential development and capable of accommodating a level of residential infill development.

Heritage & Visual Impacts

6.4 Paragraph 193 of the National Planning Policy Framework (NPPF) states 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

6.5 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), sets out the general duties of planning authorities in respect of Conservation Areas, stating that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

- 6.6 Policies 32 and 33 of the Horsham District Planning Framework (HDPF) promotes development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. Policy 34 of the HDPF states that development should reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.
- 6.7 Policy Thakeham 6 of the Thakeham Neighbourhood Plan states that the scale, density, massing, height, landscape design, layout and materials of all development proposals. Policy Thakeham 7 of the Neighbourhood Plan states that development proposals within the designated Thakeham conservation area will be supported provided that any harm to the historic significance of the conservation area and its setting will be less than substantial; and that any such harm is outweighed by the provision of a clear and sustained community benefit. This policy also requires that they preserve the special contribution of the rural character of heritage assets to their special interest including the green setting of the conservation area.
- 6.8 The application site is located at the southern end of the built up area boundary and the southern end of the Thakeham conservation area. The site comprises a grassed area of land including a steep bank with a number of tall trees. Gate Cottage, a Grade II Listed Building, is located 29 metres to the south, and 1 and 2 New Cottages, located 10 metres to the west of the application site. Gate Cottage, similar to other properties within The Street is set into the bank with the rear garden to the west located parallel to the first floor level of the dwelling house. The area to the south and west of the site becomes more rural in character and appearance. Views of the more open landscape to the south are partly restricted from the access road to the east of the site due to the slight bend in the road and the trees screening within the site which provide an attractive green vista along this western side of the access road. To the west, the site is currently well screened from the elevated grassed fields by the tree screen along the western boundary of the application site.
- 6.9 Part of the unique character of Thakeham's historic core comprises its constrained topography, formed of steep banks either side of the ancient route way. The Street likely predates the hamlet and individual buildings appeared over time beside the lane as people began to settle in marginal agricultural areas in the sixteenth century. The building types and materials reflect the availability of local timber and sandstone at this time. Like many settlements of this size there is little perceptible additional development until the mid-twentieth century and despite this the hamlet retains its historic character. Any new development within the hamlet should respect that character and reinforce it where possible.
- 6.10 The proposed pair of semi-detached dwellings would be located within the built up area yet outside a perceived envelope of development in a part of the hamlet not previously developed. The proposed development would comprise two modest 2 bedroom dwellings each with a floor area of 112 square metres and a total ridge height of 7.9 metres. The dwellings would be orientated to the east, with a combined width of 19.9 metres and would sit 1 metre higher than the access road and public right of way level to the east. A set of steps would provide pedestrian access to the front of each property with a low brick wall and railings along the sites eastern frontage. Two sets of tandem parking spaces would be provided to the north and south of the development. Retaining brick walls measuring 0.5 metres in height are proposed immediately to the north and south of the tandem parking spaces and also to the south (rear) of the parking spaces. The walls to the south of the parking spaces which would be set on a bank which would be elevated 1.2 metres in comparison to the road level.

- 6.11 The proposed development would be particularly visible within the conservation area when viewed from the southern end of The Street where this turns into a private access track and public right of way. The new built form in an area which currently comprises a grassed tree lined bank would alter the appearance of this southern end of the conservation area. The Council's Conservation Officer has commented that the proposed development of two dwellings would result in a conspicuous change to views from the bottom of The Street as the lane turns towards St Mary's Church. He however also advises that the positioning of the dwellings adjacent to the western side of the lane would remain in keeping with the ribbon type development pattern of the hamlet. The dwellings would be positioned close to the road to the east and be set into the bank similar to the existing arrangement with Gate Cottage and other nearby properties. The development reflects a pattern of development that has evolved in the past to create the current character of residential development along this ancient route way within a short distance from the village core. The proposed development would therefore reinforce the historic pattern and evolution of development that has extended in ribbon form along The Street. Whilst the impact of the proposed houses on the conservation area and setting of the listed building would be perceptible, the Council's Conservation Officer is satisfied that the development would not result in any harm to the character and appearance of the conservation area or the setting of the listed building to the north, Gate Cottage.
- 6.12 The proposed semi-detached dwellings have a simple cottage design with pitched roofs and pitched roof gable features to the front eastern elevations. The Council's Conservation Officer has confirmed that the design, detailing and materials of the houses reflect an acceptable interpretation of a domestic vernacular. The design approach is also illustrated by New Cottages on the eastern side of the lane and a not unexpected design approach in a historic rural settlement. Detailed pre-app discussions have taken place with Planning Officers and the Council's Conservation Officer who recommended that frontages to properties should reflect other cottages in The Street and open directly onto the lane without the need for a service road or parking to the front of properties. The parking serving each dwelling has been positioned to the side of each dwelling in a tandem arrangement, reducing the visual impact of parking on the Conservation Area and allowing for a small front garden area serving each property. This arrangement would replicate a similar arrangement to other nearby residential properties. The location, form, and appearance of the proposed development would therefore retain the overall character and appearance of existing residential development within the Conservation Area.
- 6.13 The amended plans submitted show a reduction in the height of the brick retaining walls to the west of the car parking spaces from 1.6 metres to 0.5 metres in height in response to the Council's Conservation Officers concerns regarding their height and visual prominence within the Conservation Area. The lower overall height of the brick retaining walls and the slope of the garden would reduce the impact of these features on the character and appearance of the Conservation Area.
- 6.14 The proposal would retain the significant trees within the conservation area comprising the two Beech trees and one Ash tree at the northern end of the site which contribute to the green and natural character of this part of the conservation area when viewed from the southern end of The Street at the junction with Crays Lane. The submitted site plan shows some indicative planting to the south of the development which would assist in softening the appearance of the development when viewed from the more rural aspect to the south. The retained trees and proposed landscaping, which will be secured by condition, would provide some green screening of the proposed development from important views within the Conservation Area comprising those at the southern end of The Street and from the more rural aspect to the south.
- 6.15 It is acknowledged that the proposed development would have some impact on the character and appearance of this undeveloped site located within the built up area. Officers are of the view that whilst this would result in visual changes to the site, this would not be

harmful to the overall character and appearance of the conservation area. The proposed dwellings would be appropriately positioned close to other similar residential development, mimicking the ribbon form and historic evolution of development along The Street to the north. The pair of dwellings are considered to be modestly proportioned and of appropriate design and vernacular that would respect the character and appearance of the Conservation Area. Trees of visual importance within the conservation area in the northern part of the site have been retained and further landscaping, to be secured by condition, would soften the development when viewed from the more rural aspects to the south and west. The proposed development is therefore considered to comply with the requirements of the NPPF, policies 32, 33 and 34 of the Horsham District Planning Framework and Policies Thakeham 6 and Thakeham 7 of the Neighbourhood Plan.

Landscape

- 6.16 Policy 25 of the HDPF states that the natural environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. The Council will support development proposals which protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.
- 6.17 Policy Thakeham 10 states that development proposals will be supported, provided they protect and retain and, wherever possible, enhance the following green infrastructure and valued landscape features of the Parish which comprise a list including sunken lanes, prominent ridges, public rights of way and their settings, and land designated for nature conservation.
- 6.18 The proposal would involve some earthworks and changes to the existing topography of the site which currently incorporates a steep bank lined with trees. The proposed dwellings would be set into the bank, with the first floor rear level of the dwellings sitting approximately level with the elevated grassed fields adjacent to the site to the west. At present the view of the site from the fields to the west and public right of way to the south-west comprises a screen of trees with a post and wire fence along the western boundary of the site. Some views of the roofs of New Cottages and Cumberland House are possible from this vantage point between the gaps in the tree screen. The proposal would involve the removal of seven trees and one group of trees on the site. Due to differing topography levels of the site and surrounding land, only the first floor levels of the proposed dwellings would be visible from the raised grassed fields to the west and public right of way to the south-west. The proposed ground levels show that the rear gardens serving would be graduated down in an easterly direction towards the dwellings.
- 6.19 No proposed landscaping scheme has been submitted with this application, however the proposed site plan shows some indicative planting. The plan shows some bramble hedging and a 1 metre high post and along the western boundary of the site which would provide some screening of the development to the west. It is however, considered that there is scope for additional planting to the western and southern boundaries of the site and also within the rear gardens to soften the appearance of the built form when viewed from the public right of ways and landscape to the south and west. The Council's Landscape Officer has recommended including some taller planted species to provide soft screening of the proposed retaining brick walls behind the proposed car parking spaces. The Agent has agreed to a landscaping condition which will require details of all soft and hard landscaping to be submitted, along with details of all boundary treatments.
- 6.20 The proposed development would be perceivable from the landscape and public right of ways to the south and east of the site. However, it is considered that the retention of the significant trees within the Conservation Area and additional landscaping to the west and

south of the development would adequately mitigate any harmful visual impacts of the development when viewed from the wider rural landscape and public right of ways to the west and south.

Trees

- 6.21 Policy 34 of the HDPF requires developments to retain and improve the setting of heritage assets, including views, public rights of way, trees and landscape features, including historic public realm features. Policy 33 of the HDPF requires presumption in favour of the retention of existing important landscape and natural features, for examples trees and hedges. Policy Thakeham 6 of the Thakeham Neighbourhood Plan states that development should retain established healthy trees.
- 6.22 An Arboricultural Assessment, Outline Method Statement and Tree Retention Plan has been submitted with this application. The Assessment confirms that there are seven individual trees and one group proposed for removal to facilitate the proposed development. These trees fall within Category C which comprise trees of low quality with an estimated life expectancy of at least 10 years or less. The Council's Arboricultural Officer has confirmed that these trees are not rare and do they have any special or particular merit. He has raised no objection to their removal and considers that this would not have an adverse effect on the character and amenities of the Conservation Area.
- 6.23 It is proposed to retain one Ash tree (T1) and two Beech trees (T2 and T3) to the north of the proposed dwellings. The Ash tree comprises a Category B tree and the Beech trees comprise Category A trees. Category A trees are described as trees of high quality with an estimated life expectancy of at least 40 years. Category B trees are described as trees as moderate quality with an estimated remaining life expectancy of at least 20 years. The Council's Arboricultural Officer considers these Ash and Beech trees to be important features of visual amenity within the Conservation Area. These trees are large attractive specimens which contribute to public amenity and the green character of the Conservation Area, particularly when viewed at the junction of The Street and Crays Lane. The original plans submitted showed that one of the Beech trees would have a high percentage of its crown overhanging the parking spaces serving the northernmost proposed dwelling. Concerns were raised by the Council's Arboricultural Officer regarding the future resident pressure for works to this tree given its position. Concern was also raised in relation to the encroachment of the proposed retaining walls to the north and west of the northernmost dwelling into the root protection areas of the three trees and the likely root severance this would cause to the tree roots.
- 6.24 Amended plans have been submitted following the Arboricultural Officer's advice which show that the retaining walls and dwellings have been repositioned four metres further to the south. The amended plans show that the parking area and the majority of the north-westerly retaining wall would be situated outside of the root protection area of the Beech trees and the Ash tree. The retaining wall encroaches slightly into the root protection area of the southernmost Beech tree, however, the Council's Arboricultural Officer considers that this is acceptable as the trees will be able to withstand a small amount of ingress within the root protection area without it having a detrimental effect on their overall structural condition or health.
- 6.25 The amended plans ensure the continued health and preservation of the Ash tree and Beech trees to the north of the proposed development, retaining the green character and appearance of the Conservation Area. This movement of the development further south has also established a more harmonious relationship and spacing between proposed development and the important trees to the north. The proposal therefore complies with the requirements of policies 33 and 34 of the HDPF and policy Thakeham 6 of the Neighbourhood Plan.

Amenity

- 6.26 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.
- 6.27 The closest residential properties to the development are located 8.4 metres to the east, comprising 1 and 2 New Cottages and 25 metres to the north, comprising Gate Cottage. Given the separation distance from Gate Cottage, there are no concerns regarding any loss of amenity between the occupiers of the neighbouring dwelling and the future occupiers of the proposed dwellings. To the east, the proposed dwellings would be separated to the front windows serving 2 New Cottages by the access road and it is not considered that there would be any loss of privacy or overbearing caused to the neighbouring occupiers of this property.

Highways & Parking

- 6.28 Policy 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.
- 6.29 The proposed dwellings would have a side driveway each capable of parking two cars which would gain access from the private access road and public right of way to the west of the site. Access to the wider highway network is then gained via the natural termination point of The Street, at the junction of Crays Lane. The County Council Highways Authority have confirmed that given the direct access alignment arrangements onto The Street there are no concerns with the use of this junction serving the two additional proposed dwellings.
- 6.30 The proposal would comprise four parking spaces in total, two spaces for each two bedroom dwelling. This would meet the anticipated parking demand for dwellings of this size in this location. It is noted that there is limited provision for any on-street parking within the surrounding area. It is however not anticipated that the proposed development would result in any overspill on-street parking given the parking provision proposed for each dwelling.
- 6.31 The Highways Authority have also recommended that the County Council Public Rights of Ways Officer be consulted in relation to any impacts of the development on the public right of way to the east. No comments have been received by the County Council Public Rights of Way Officer at the time of writing this report. Any comments subsequently received will be reported at the Committee Meeting.

Ecology

- 6.32 Policy 31 of the Horsham District Planning Framework states that development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. The Council will support new development which retains and/or enhances significant features of nature conservation on development sites. The Council will also support development which makes a positive contribution to biodiversity through the creation of green spaces, and linkages between habitats to create local and regional ecological networks. Particular consideration will be given to the hierarchy of sites and habitats in the district which includes the Special Protection Area (SPA) and Special Areas of Conservation (SAC).
- 6.33 The site is also within the wider conservation area for The Mens Special Area of Conservation (SAC) and the wider conservation area for Ebernoe Common SAC. The site is described as comprising short species poor grassland, a bare earth bank, a line of trees and some shrub planting and tree planting on the upper bank. A Preliminary Ecological Appraisal has been submitted with this application which states that the development would

not affect any sensitive features or threats to the habitats sites, including any bat roosts. The majority of the trees proposed for removal were found to have negligible bat roosting potential features and one Beech tree to be removed was considered to have low potential to support roosting bats.

- 6.34 The Council's Ecology Consultant has confirmed that without mitigation, the proposed development is not likely to result in a 'likely significant effect' to The Mens SAC, Ebernoe Common SAC or Arun Valley SAC, SPA and Ramsar site. It has therefore been confirmed that there is no need to proceed to Habitats Regulations Assessment Stage 2 Assessment.
- 6.35 The Ecology Report recommends some biodiversity enhancement measures which comprise installation of insect boxes, native planting and a sensitive lighting scheme. Conditions will be included, as per the Council's Ecology Consultant recommendation, to secure the mitigation and enhancement measures set out in the Ecology Report and to require the approval of a biodiversity enhancement strategy and wildlife sensitive lighting scheme.

Climate Change

- 6.36 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:
- Biodiversity mitigation and enhancement measures
- 6.37 In addition to these measures conditions are attached to secure the following:
- Water consumption limited to 110 litres per person per day
 - Requirement to provide full fibre broadband site connectivity
 - Refuse and recycling storage
 - Cycle parking facilities
 - Electric vehicle charging points
- 6.38 Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Conclusion

- 6.39 In conclusion, it has been established that the site is located within the built up area, close to existing residential development and within a sustainable location capable of accommodating a level of residential infill development. The site occupies a sensitive location, within the setting of Grade II listed buildings, the Thakeham Conservation Area and with constrained topography.
- 6.40 Within this assessment, it has been acknowledged that the proposed development would have some impact on the character and appearance of this undeveloped site located within the built up area. Officers conclude that whilst this would result in visual changes to the site, this would not be harmful to the overall character and appearance of the conservation area or the setting of the listed building. The proposed dwellings would be appropriately positioned close to other similar residential development, mimicking the ribbon form and historic evolution of development along The Street further to the north of the site. The

pair of dwellings are considered to be modestly proportioned and of appropriate design and vernacular that would respect the character and appearance of the Conservation Area.

- 6.41 Trees of visual importance within the conservation area in the northern part of the site have been retained and further landscaping, to be secured by condition, would soften the development when viewed from the more rural aspects to the south and west. The proposal would also not have an adverse impact on the wider landscape, ecology, neighbouring amenity or highway safety. The proposed development is therefore considered to comply with the requirements of the NPPF, the Horsham District Planning Framework and the Thakeham Neighbourhood Plan. The application is therefore recommended for approval subject to the conditions listed in section 7 of this report.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

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	225	0	225
		Total Gain	225
		Total Demolition	0

Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

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 approved subject to the following conditions:-

- List of the approved plans and documents.
- Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

- 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).

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

- a) Drawings to a scale not smaller than 1:5 fully describing:
 - i) Roof details including sections through:
 - roof ridge
 - valleys
 - eaves
 - verges
 - ii) Chimneys
 - iii) Steps
 - iv) Balustrades and railings
- b) Samples or specifications of all external materials and surface finishes.
- c) A sample panel of masonry, not less than 0.8 sq.m, constructed on site. Before any further masonry is undertaken, the panel must be inspected and approved in writing by the local planning authority. All masonry must be executed in accordance with the sample panel, which shall remain on site until the works are complete and the condition discharged.

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

5. **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of any security hoarding;
 - v) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - vi) delivery, demolition and construction working hours.

The approved details shall be adhered to throughout the construction period.

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

6. **Pre-Commencement Condition:** No development shall commence until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Strategy shall include the following:
 - a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) Detailed designs to achieve stated objectives;
 - c) Locations of proposed enhancement measures by appropriate maps and plans;
 - d) Persons responsible for implementing the enhancement measures;
 - e) Details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

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

7. **Pre-Occupation Condition:** The proposed development hereby permitted shall not be occupied 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
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- A written outline soft specification, including ground preparation, cultivation and other operations associated with plant and grass establishment
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Sections of the retaining wall and junction with natural ground
- Details of landscape responsibilities and a landscape management plan
- Ecological enhancement measures as set out in the Preliminary Ecological Appraisal (The Ecology Partnership – September 2020)

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-Occupation Condition:** The proposed development hereby permitted shall not be occupied until a lighting design scheme for biodiversity has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

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

9. **Pre-Occupation Condition:** The proposed development hereby permitted shall not be occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the requirements for electric vehicle charging within the latest West Sussex Parking Standards (2019). The approved scheme shall be installed prior to first occupation of the dwellings and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

10. **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied unless and until provision for the storage of refuse/recycling has been made for that building in accordance with details that have been submitted to and approved 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 33 of the Horsham District Planning Framework (2015).

12. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, details of secure [and covered] cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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).

13. **Pre-Occupation Condition:** Prior to the first occupation of the dwellings hereby permitted, the car parking facilities necessary to serve the dwellings shall be implemented in accordance with the approved details as shown on Drawing No. 1894 2110 Rev B and shall be thereafter retained as such.

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).

14. **Pre-Occupation Condition:** Prior to the first occupation of the dwelling, 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 shall be 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).

15. **Regulatory Condition:** The new windows hereby permitted shall have casements flush fitted with their frames if manufactured in timber or plastic.

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

16. **Regulatory Condition:** The roof lights hereby permitted shall be metal framed and sit flush with the roof slope.

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

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

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

18. **Regulatory Condition:** All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained within the Preliminary Ecological Appraisal Report (The Ecology Partnership – September 2020) as submitted with the application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species), s17 Crime & Disorder Act 1998 and Policy 31 of the Horsham Development Framework (2015).

19. **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment and Outline Method Statement dated 26th November 2020 and the Preliminary Tree Protection Plan (Drawing No. NJCL 772_02_261120).

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

20. **Regulatory Condition:** The dwelling(s) 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: 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).

- 21 **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, D and E of Part 1 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: To safeguard the amenities of nearby residents in accordance with policy 33 of the Horsham District Planning Framework (2015).

22. **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

Background Papers: DC/20/1788