



PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 6 June 2023

DEVELOPMENT: Demolition of agricultural workshop and erection of a detached single storey dwelling.

SITE: Coomers Farm Wimland Road Faygate West Sussex RH12 4SR

WARD: Colgate and Rusper

APPLICATION: DC/23/0085

APPLICANT: **Name:** Mr and Mrs John Heydon, and Mrs E Cockram
Address: Coomers Farm Wimland Road Faygate West Sussex RH12 4SR

REASON FOR INCLUSION ON THE AGENDA: The application represents a departure from the Local Plan.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for the demolition of the existing building and the erection of a 2-bed single storey residential dwelling.

1.3 The proposed development would replicate the footprint of the existing building with the proposed roof pitch being slightly greater than the existing. The proposal would incorporate windows and doors to all elevations, with a ramp provided to the eastern elevation and steps to the south.

1.4 The existing access would be used, with parking provided for 2no. vehicles. An area of amenity space is proposed to the east and west of the building.

DESCRIPTION OF THE SITE

1.5 The application site is located to the west of Wimland Road, outside of the designated built-up area boundary. The site is in agricultural use, and comprises a number of agricultural buildings used for, among other things, the storage of hay and the keeping of livestock. The residential dwelling associated with the farm is located to the south-east of the site.

- 1.6 The subject building is located centrally within a complex of agricultural buildings, with an internal courtyard located to the north and west of the subject buildings. The buildings comprise blockwork and brick, with Building A used as a workshop and store, and Building B comprising a former loose box building now used for incidental storage. Building B includes a wood framed roof that sits on brick walls, with the area underneath this remaining open. The wider area is laid to hardstanding, with the main thoroughfare to the agricultural land located immediately to the north of the subject buildings.
- 1.7 The wider area is characterised by open countryside and sporadic residential dwellings.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

2.3 National Planning Policy Framework

2.4 Horsham District Planning Framework (HDPF 2015)

- Policy 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 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 35 - Strategic Policy: Climate Change
- Policy 36 - Strategic Policy: Appropriate Energy Use
- Policy 37 - Sustainable Construction
- Policy 40 - Sustainable Transport
- Policy 41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

2.5 Rusper Neighbourhood Plan

- Policy RUS1 – Spatial Plan
- Policy RUS2 – Rural Diversification
- Policy RUS3 – Design
- Policy RUS10 – Dark Skies
- Policy RUS11 – Promoting Sustainable Transport

2.6 Planning Advice Notes

- Facilitating Appropriate Development
- Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/21/0712	Prior approval for change of use of agricultural building to residential (C3) to form 1no dwelling.	Prior Approval Required and PERMITTED on 26.05.2021
DISC/21/0245	Approval of details reserved by condition 2 on application DC/21/0712	Application Permitted on 03.11.2021

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 Environmental Health:** Detail required for rainwater harvesting scheme

OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** The site is located and accessed via Wimland Road which is an unclassified road subject to 40mph speed limit. Vehicular access to the site will be utilised through the existing access arrangements with no proposed alterations. An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest that the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern. Given the small-scale nature of proposal and other uses making use of the existing access to exit onto Wimland Road, this proposal is not anticipated resulting in a material intensification of use onto the public highway.
- 3.4 The WSCC Car Parking Demand Calculator would expect 3 parking spaces to be provided for dwelling of this size and location. The proposed plans demonstrate onsite parking provision of 2 spaces, and these spaces accord with the minimum requirement of 2.4 x 4.8m per single bay as outlined in Manual for Streets (MfS) guidance. The potential shortfall of 1 space is not anticipated to result in highway safety concern, given that there are comprehensive parking restriction that prohibit vehicles to park at places that are detriment to the highways safety.
- 3.5 The site is situated in a rural area therefore the occupants of the proposed dwelling will be reliant upon a use of a car. Covered and secured cycle storage can be provided as an alternative transport mode. A suitably worded condition is included below if the LPA considers this achievable.
- 3.6 The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.
- 3.7 **Natural England:** Standing Advice:-
- 3.8 It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

- 3.9 To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

PUBLIC CONSULTATIONS

- 3.10 **Rusper Parish Council:** No objection provided the previous conditions are maintained

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

- 4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.
- 4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

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

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

6. PLANNING ASSESSMENTS

- 6.1 The application seeks full planning permission for the demolition of the existing building and the erection of a 2-bed single storey residential dwelling.

Principle of Development:

- 6.2 The application site is located outside of any built-up area, and within the countryside in policy terms, where residential development is more greatly restricted. The application site has however been subject of a Class Q Prior Approval under planning reference D1/21/0712 which was approved on 26.05.2021. The application submission confirms that works have commenced on-site to implement the permission, with the Council's Building Regulations file confirming this to be the case. The Pre-Commencement condition imposed on the approval has been discharged, with confirmation provided that the extant permission would be completed if the current application is not approved. This extant permission is therefore considered to represent a realistic fallback position.
- 6.3 The application seeks planning permission for the demolition of the existing building and replacement with a 2-bed residential dwelling. The proposed dwelling would sit on the footprint of the former building, with a slightly greater roof pitch and resulting height than the existing building. The proposal would provide 2no. bedrooms, a reduction compared with the

approved scheme, accordingly it is not considered that the current proposal would result in a greater activity than the extant fallback permission.

- 6.4 The proposed development would also offer improvements in energy efficiency and sustainability, with the proposal improving the quality of accommodation provided. These are considered to be benefits of weight in the planning assessment.
- 6.5 The application site benefits from an extant Class Q Prior Approval relating to the conversion of an agricultural workshop to a 3-bed dwelling. It is confirmed that works to implement this approval have started, with the Pre-Commencement condition having been discharged. This Prior Approval is therefore considered to represent a realistic fallback, with the proposed development also considered to offer improvements in the quality of accommodation and the energy efficiency and sustainability of resulting development. On the balance of these considerations, the proposal is considered acceptable in principle, subject to all other material considerations.

Design and Appearance:

- 6.6 Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.
- 6.7 Policy RUS3 of the Ruser Neighbourhood Plan states that proposals for new development must be of the highest design standards, and will be required to reflect the character and scale of surrounding buildings.
- 6.8 The application seeks to demolish the existing building and for its replacement with a new building over the former footprint. The existing building sits modestly within the context of the farm complex but is of a relatively standard brick-built design, there is no objection to its demolition. The replacement development would reflect the appearance and scale of the existing building, albeit that the roof would be greater in pitch and height. The proposal would reflect a traditional vernacular expected within a rural locality, with the proposal considered to sit comfortably within the context of the wider site.
- 6.9 It is recognised that the proposal would incorporate a greater number of windows than the previous planning approval, with the introduction of roof lights considered to further domesticate the building. Given the extant permission, which approved a number of windows and doors to all elevations, it is not considered that the proposed scheme would result in such significant impact on the character and appearance of the rural locality to justify a reason for refusal. On the balance of these considerations, the proposal is considered to be of an appropriate design and vernacular that would relate sympathetically to the wider surroundings, in accordance with Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

Amenity Impacts:

- 6.10 Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.
- 6.11 The proposed dwelling would be located at a distance from the nearest residential property to the south-east. Given this relationship, it is not considered that the proposal would result in unacceptable harm to the nearby residential properties through overlooking, loss of light,

or privacy. The proposed development is therefore considered to accord with Policies 32 and 33 in this regard.

Highways Impacts:

- 6.12 Policy 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.
- 6.13 The proposed development would utilise the existing vehicular access to the site, with no alterations proposed. 2no. parking spaces are to be provided.
- 6.14 Following consultation with WSCC Highways, an inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest that the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.
- 6.15 Given the small-scale nature of proposal and other uses making use of the existing access to exit onto Wimland Road, this proposal is not anticipated resulting in a material intensification of use onto the public highway.
- 6.16 The WSCC Car Parking Demand Calculator would expect 3 parking spaces to be provided for dwelling of this size and location. The proposed plans demonstrate onsite parking provision for 2no. spaces, which would represent a shortfall of 1no. off-street parking space. It is however recognised that the wider site benefits from sufficient space to accommodate parking needs, and it is not anticipated that this would cause an impact on highway safety or amenity.
- 6.17 For these reasons, the proposed development is not considered to result in harm to the safety or function of the public highway network, and would on balance, provide adequate parking for all users. The development is therefore considered to accord with Policy 41 of the Horsham District Planning Framework (2015).

Water Neutrality:

- 6.18 The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.
- 6.19 Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.
- 6.20 The application site benefits from an extant prior approval for the conversion of an existing building to a 3-bed residential dwelling under reference DC/21/0712. The Pre-Commencement condition has been discharged and it has been confirmed that works have begun to implement the approval. It is also confirmed that the Prior Approval would be carried out should the current proposal be refused. This extant permission is therefore considered to represent a realistic fallback.
- 6.21 The current proposal seeks the demolition of the building and the replacement with a 2-bed residential dwelling. The development would provide 1 bedroom less than the approved

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

Climate change:

- 6.22 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.
- 6.23 Should the proposed development be considered acceptable, 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
 - Electric vehicle charging points
- 6.24 Subject to these conditions, the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Conclusions:

- 6.25 The application site benefits from an extant Prior Approval for residential development. This extant permission is considered to represent a realistic fallback, with the principle of residential development for 1no. dwelling established on the site. The proposed development would be similar in size and nature to the extant permission and would not therefore be considered to result in a further intensification of activity within the countryside location. The proposed development would improve the quality of accommodation and would offer improvements in energy efficiency and sustainability. These are considered to be material considerations of weight. The proposal would improve the quality of the development when compared with the approved scheme, and the principle of development is therefore considered acceptable.
- 6.26 The proposal would reflect a traditional vernacular anticipated within a rural location and is considered to relate sympathetically to the character and built form of the wider surroundings. The proposal would result in no adverse harm to the amenities of nearby residential properties and would not have a detrimental impact on the safety and function of the public highway network. Furthermore, the development would result in no greater water consumption than the extant Prior Approval.
- 6.27 For these reasons, the development is considered to accord with all relevant local and national planning policies.

7. RECOMMENDATIONS

7.1 To approve the application subject to the following conditions:

1 **Approved Plans**

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

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

3 **Pre-Commencement Condition:** No 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-Occupation Condition:** No part of the development hereby permitted shall be occupied until the car parking spaces (including garages where applicable) necessary to serve it have been constructed and made available for use in accordance with the approved Block Plan. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

5 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the 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).

6 **Pre-Occupation Condition:** No part of the development hereby permitted shall 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).

7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits 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).

8 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the Proposed Elevations Plan reference 2017/23/28 rev B unless detail of alternative materials have been submitted

and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Regulatory Condition:** The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in agriculture on the agricultural holding of Coomers Farm, or a widow or widower of such a person, and to any resident dependants.

Reason: In order to address the potential noise, disturbance and odour impacts arising from the adjacent uses, and in the interests of the amenity of future occupiers.

- 10 **Regulatory Condition:** The development hereby approved shall be carried out in strict accordance with the Preliminary Contamination Risk Assessment by EAS Ltd dated August 2021 approved under reference DISC/21/0245.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 12 **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 no more than 110 litres per person per day. The subsequently installed 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).

- 13 **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, AA, and B of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and] in accordance with Policy 33 of the Horsham District Planning Framework (2015).