



**TO:** Planning Committee South

**BY:** Head of Development and Building Control

**DATE:** 20 February 2024

**DEVELOPMENT:** Erection of a two-bed annexe building providing ancillary residential accommodation in place of a previously demolished annexe building (Retrospective).

**SITE:** Ebbsworth Cottage, The Street, Nutbourne, Pulborough, West Sussex, RH20 2HE

**WARD:** Pulborough, Coldwaltham and Amberley

**APPLICATION:** DC/21/2802

**APPLICANT:** **Name:** Mr and Mrs F Cramer **Address:** Ebbsworth Cottage, The Street, Nutbourne, Pulborough, West Sussex, RH20 2HE

**REASON FOR INCLUSION ON THE AGENDA:** Following deferral at the 17<sup>th</sup> October 2023 Committee meeting

By request of Pulborough Parish Council

**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 This planning application was considered at the 17<sup>th</sup> October Planning Committee South meeting where it was resolved to defer consideration for the following reasons:

- To seek further information relating to the baseline of the existing dwelling for the purpose of demonstrating water neutrality;
- To review the rainwater harvesting storage tank capacity and location;
- To seek further information relating to the slab / foundation construction;
- To seek the inclusion of leaded windows to the annexe, and;
- To seek clarification of the ridge height compared to the previous building on the site.

The October committee report is attached as an Appendix and forms part of the assessment of this application. The previous report should therefore be read alongside this report.

1.3 No other aspects of the development proposals have been amended since consideration of the application at the October Planning committee meeting.

## PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/20/1972	Erection of a detached double garage and a bin and log store.	Application Permitted on 27.01.2021
DC/19/2532	Erection of a single storey rear extension, external and internal alterations and replacement of roof covering with plain hand made clay tiles (Householder)	Application Permitted on 27.02.2020
DC/19/2533	Erection of a single storey rear extension, external and internal alterations and replacement of roof covering with plain hand made clay tiles (Listed Building Consent)	Application Permitted on 27.02.2020
DISC/20/0135	Approval of details reserved by conditions 3b and 3c to approved application DC/19/2533	Split Decision on 27.07.2020
DISC/20/0137	Approval of details reserved by conditions 3b (in respect of roof tiles) and 3c to approved application DC/19/2532	Split Decision on 27.07.2020

## 2. INTRODUCTION

### STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

### 2.2 RELEVANT PLANNING POLICIES

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

### 2.3 **National Planning Policy Framework (Dec 2023)**

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

Policy 25- Strategic Policy: The Natural Environment and Landscape Character

Policy 26- Strategic Policy: Countryside Protection

Policy 28- Replacement Dwellings and House Extensions in the Countryside

Policy 31- Green Infrastructure and Biodiversity

Policy 32- Strategic Policy: The Quality of New Development

Policy 33- Development Principles

Policy 34- Cultural and Heritage Assets

### 2.5 **Pulborough Neighbourhood Plan**

The Pulborough Neighbourhood Plan has passed through examination and is awaiting a date for referendum. The following policies are relevant in the case of this application, and carry significant weight in decision making:

Policy 15 - Design

### 2.6 Planning Advice Notes:

Facilitating Appropriate Development

Biodiversity and Green Infrastructure

### 3. PLANNING ASSESSMENTS

- 3.1 This application was heard at committee on 17<sup>th</sup> October 2023, with the decision deferred by the Committee for the following reasons:
- To seek further information relating to the baseline water consumption of the existing dwelling for the purpose of demonstrating water neutrality;
  - To review the rainwater harvesting storage tank capacity and location;
  - To seek further information relating to the slab / foundation construction;
  - To seek the inclusion of leaded windows to the annexe, and;
  - To seek clarification of the ridge height compared to the pre-existing building on the site.

#### Water Neutrality and Rainwater Harvesting

- 3.2 An updated water neutrality statement was received by the Council on 11 January 2024. The statement details that through the use of rainwater harvesting and efficiency measures within the proposed annexe, the water demand from the new annex can be reduced to 42.8l/p/d. Multiplying this by the Council's average occupancy of 1.88 people for a two bedroom dwelling, the total water demand per day can be calculated as **80.5l/day**.
- 3.3 A Part G calculator has been provided for the existing dwelling on site, which has demonstrated a water demand of 129.8lpd, illustrating the existing water demand from the fixtures and fittings within the dwelling. Using the Council's average occupancy for a three bedroom dwelling, this figure can be multiplied by 2.47 to total 320.6l/d. Though the use of more efficient fixtures and fittings within the dwelling, and rainwater harvesting for non-potable supply, the water demand can be reduced to 73lpd, or 180.31l/d. This represents a water demand reduction of **140.29l/d**, which would therefore offset the proposed annexe's water demand. Natural England have been consulted on this strategy, and agree with the Council's Appropriate Assessment that the development would not result in adverse impact to the integrity of the protected sites.
- 3.4 The floor plans of the annexe were updated on 15<sup>th</sup> December 2023 to reflect the Part G calculations for the proposed annexe to exclude the bath.
- 3.5 The revised strategy also provides details of the rainwater harvesting tanks. As per the Council's FAQs and guidance, a 35-day drought contingency is required for applications which rely on rainwater harvesting. This goes above and beyond the national suggested average of an 18-day drought contingency. The strategy details that 48.12l/d is required to meet the needs of the non-potable supply serving the annexe, and 35.2l/d for the main dwelling. Multiplied by 35(days), this totals a contingency of 1,684.2l and 1,232l respectively. Appropriately, a 1,700l storage tank is proposed to be installed on the site, which accords with the Council's guidance.
- 3.6 Details of the storage tank and its location have been requested by way of condition (condition 5) which is standard practice for proposals incorporating such measures. The condition requests details of the rainwater harvesting system (in addition to fixtures etc), which would not typically be detailed at this stage in the process.

#### Slab/foundation construction

- 3.7 Technical details of the slab construction were submitted to the Council on 15<sup>th</sup> November 2023 (Construction Design Partnership). The plans illustrate that the foundation has been constructed using a raft foundation design. The Council's Building Control Team Manager has reviewed the technical drawings and has advised that this design would be expected from a structural engineer.

- 3.8 As previously advised to members, the matter of structural integrity and foundation design will be the subject of building regulation approval following the granting of a planning application. It is not the responsibility of the Local Planning Authority to consider such matters as part of a planning application, as these are not material planning considerations unless related to matters such as tree root protection. However, it is hoped that the above comments following the submission of the technical drawings will abate any immediate concerns with the means of construction being used.

#### Window Details and Building Height

- 3.9 Revised plans were submitted on 13<sup>th</sup> December 2023 which include leaded windows to the annexe. Photographs of the existing windows within the main dwelling have been illustrated for context, which match those now proposed in the annexe. Condition 10 has been updated to incorporate this detail within its wording.
- 3.10 The annexe building, both as pre-existing and proposed, is constructed of two sections, with the southern-most portion of the building comprising a higher ridge height. The higher portion of the annexe would stand at 5.2m as per the pre-existing structure. The northern part of the annexe would be raised 0.9m from the pre-existing structure from 3.6m to 4.5m. Both roofs would incorporate a pitched roof as per the pre-existing arrangement.

#### **Conclusion**

- 3.11 Further to the committee resolution on 17<sup>th</sup> October 2023, the applicant has provided the information requested by the Committee. The applicant has provided more detailed evidence relating to the baseline water use of the existing dwelling and has included the necessary rainwater harvesting storage tank capacity- specific details on the matter have been requested by way of condition. Further plans and elevations have been provided relating to the foundation design of the proposal, in addition to the inclusion of leaded windows, and clarity on the height of the building has been provided.. With this in mind, Officers recommend that the application is approved subject to the below list of conditions.

#### **4. RECOMMENDATIONS**

- 4.1 The application is therefore recommended for approval, subject to conditions as listed below.

#### Conditions:

1 **A List of the 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 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) Specification, including elevational drawings of timber frame construction to replicate the form of the demolished historic timber frame.
- b) Samples or specifications of external materials and surface finishes.

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).

- 4 **Pre-commencement Condition:** Prior to any further works being undertaken on the site, a Great Crested newt Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to avoid potential impacts to Great Crested Newt bats during demolition and construction phases. The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To conserve protected and Priority species and allow the Local Planning Authority 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).

- 5 **Pre-commencement (Slab Level) Condition:** No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater harvesting system required by the approved water neutrality strategy (received 11.01.2024) have been submitted to and approved in writing by the Local Planning Authority. The rainwater harvesting system shall include suitable storage tanks to provide a minimum 35 days storage capacity, and shall be accommodated below ground.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 6 **Pre-commencement (Slab Level) Condition:** A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Ecological Impact Assessment (Lizard Landscape Design and Ecology, November 2022) shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

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

- 7 **Pre-occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Neutrality Statement received 11.01.2024) No development hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in the imposition of the following conditions: accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species

Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 8 **Pre-occupation Condition:** Prior to the occupation of the annexe commencing, all mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Lizard Landscape Design and Ecology, November 2022) as already submitted with the planning 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 Local Planning Authority 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) and Policy 31 of the Horsham Development Framework.

- 9 **Regulatory Condition:** The new roof junctions at ridge, eaves and verges shall be built to reflect traditional detailing including exposed rafter feet, cut verges, and hogs back or half round ridge tiles.

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).

- 10 **Regulatory Condition:** The new windows fitted in the building hereby permitted shall have timber casements flush fitted with their frames, and its glazing shall include leaded lights as illustrated on plan 2.04 (received by the Council on 13.12.2023)

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).

- 11 **Regulatory Condition:** Any roof lights fitted 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).

- 12 **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).

- 13 **Regulatory Condition:** The annexe hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of Ebbsworth Cottage, The Street, Nutbourne, Pulborough (as identified on the approved plans), and shall not be used as a separate unit

of accommodation, as habitable living accommodation, for any commercial purposes or for any other purpose(s)/use(s).

Reason: The establishment of an additional independent unit of accommodation, additional living accommodation, commercial use or any other use(s) would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).