



**TO:** Planning Committee North  
**BY:** Head of Development  
**DATE:** 7 November 2017  
**DEVELOPMENT:** Erection of one detached dwelling with access onto the Worthing Road  
**SITE:** Pond Farmhouse Worthing Road Southwater Horsham West Sussex RH13 9BS  
**WARD:** Southwater  
**APPLICATION:** DC/16/2608  
**APPLICANT:** **Name:** Churchlands Ltd **Address:** 50 Springfield Road, Horsham, West Sussex, RH12 2PD

**REASON FOR INCLUSION ON THE AGENDA:** At the discretion of the Head of Development

**RECOMMENDATION:** To approve permission

**1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks planning permission for the erection of a detached dwellinghouse on land which forms the southernmost part of the residential curtilage of Pond Farmhouse. The proposal comprises a two-storey dwelling, with dormers providing the accommodation at first floor level within the roofspace, a two-storey projection is proposed to the rear elevation. The proposed dwelling would utilise an existing access off Worthing Road, with the existing vegetation screening between Pond Farmhouse and the application site indicated as being retained and reinforced.

DESCRIPTION OF THE SITE

1.3 The application site comprises land to the south of Pond Farmhouse, a Grade II Listed Building which sits within a large irregular shaped plot. The principal listed building is set back in the plot away from the public highway, with the immediate siting comprising open space bounded by mature trees and hedging. The application site is accessed via an access to Pond Farmhouse from the eastern side of Worthing Road (A24), which runs immediately adjacent to the northern boundary of the application site, continuing past and terminating in front of Pond Farmhouse.

1.4 The application site is within the built-up area of Southwater, the centre of which is approximately 800 meters to the south. There is some deciduous tree screening to the southern boundary of Pond Farmhouse that provides an element of screening between Pond Farmhouse and the application site. A featheredge fence separates the application

site from number Grand Oaks Grange, a new residential development comprising three dwellings to the east of the application site.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

2.2 **National Planning Policy Framework:**

NPPF6 - Delivering a wide choice of high quality homes  
NPPF7 - Requiring good design  
NPPF12 - Conserving and enhancing the historic environment  
NPPF14 - Presumption in favour of sustainable development

2.3 **Horsham District Planning Framework (HDPF 2015)**

HDPF1 - Strategic Policy: Sustainable Development  
HDPF3 - Strategic Policy: Development Hierarchy  
HDPF15 - Strategic Policy: Housing Provision  
HDPF16 - Strategic Policy: Meeting Local Housing Needs  
HDPF25 - Strategic Policy: The Natural Environment and Landscape Character  
HDPF32 - Strategic Policy: The Quality of New Development  
HDPF33 - Development Principles  
HDPF34 - Cultural and Heritage Assets  
HDPF40 - Sustainable Transport  
HDPF41 - Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

Southwater Parish has been designated a Neighbourhood Development Plan Area (Regulation 5 and 6). At present there is no 'made' plan.

The Southwater Parish Design Statement (PDS) was approved in 2011 and has the status of a Supplementary Planning Document.

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

SQ/72/95	Erection of one dwelling with garage and access (outline)	Application Permitted on 06.09.1995
SQ/37/98	Site: Pond Farmhouse Worthing Road Southwater Renewal of permission sq/72/95 to erect 1 dwelling and garage(outline)	Application Permitted on 06.05.1998
DC/06/2710	Site: Pond Farmhouse Worthing Road Southwater Erection of 2 dwellings and garages and formation of new vehicular access (South of and within the curtilage of Pond Farmhouse) (Outline)	Application Permitted on 17.08.2007
DC/08/1103	Erection of 1 x 3-bed and 4 x 4-bed dwellings associated access, garaging, car parking following demolition of existing outbuildings (Land to the south of Pond Farmhouse)	Application Refused on 30.07.2008
DC/08/2626	Erection of 2 x 3-bed and 2 x 4-bed (Total of 4) dwellings associated access, garaging, car parking following demolition of existing outbuildings (Land to the south of Pond Farmhouse).	Application Refused on 18.03.2009
DC/09/1708	Demolition of existing outbuildings and erection of 2 x 3-bed and 1 x 4-bed attached dwellings (Land to the South of Pond Farmhouse).	Application Permitted on 20.11.2009
DC/09/2353	Change of use and conversion of stable building into	Application Permitted on

DC/09/2354	a holiday let (Full Planning) Change of use and conversion of stable building into a holiday let including internal and external alterations (Listed Building Consent)	02.03.2010 Application Permitted on 02.03.2010
DC/10/0014	Change of use and conversion of existing garage outbuilding into a holiday let	Application Permitted on 02.03.2010
DC/15/2504	Erection of one 5 bedroom detached dwelling and one 4 bedroom detached dwelling (land to the south of Grand Oaks Grange)	Allowed on appeal on 06.09.2016

### 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](http://www.horsham.gov.uk)

#### INTERNAL CONSULTATIONS

- 3.2 Conservation: Object. The proposed introduction of built form in the proposed location would adversely alter the open and spacious character of the immediate setting to the listed building and change the open, green setting which is appreciated at present. A two storey house to the proposed location would serve as incremental and cumulative erosion of the open setting immediately to the listed building and would have a harmful impact on the significance of the listed building. This is contrary to policy 34 of the HDPF which sets out that development affecting heritage assets will be required to “preserve, and ensure clear legibility of, locally distinctive vernacular building forms and their settings.”
- 3.3 It should also be noted that the development, in such close proximity to the listed building, would adversely alter ones experience of its setting; as set out in the submitted statement, setting is defined as the surroundings in which one experiences a heritage asset, therefore, it is not just views alone which should be considered.
- 3.4 It is considered that the proposal would harm the setting of the listed building.

#### OUTSIDE AGENCIES

- 3.5 Southern Water: No objection.
- 3.6 Southwater Parish Council: Object for the following reasons:-
- Will cause detrimental harm to the setting of a listed building;
  - Overdevelopment of the land building excessively large;
  - Undersize internal garage;
  - No section 106 contribution;
  - Additional traffic entering the Worthing Road, and subsequent Roundabout against Traffic Survey.

3.7 West Sussex County Council – Highways: No objection.

## PUBLIC CONSULTATIONS

3.8 10 letters of representation were received, of which 3 offered comments which neither supported nor objected to the proposal, and 7 objected to the proposal for the following reasons:-

- Will cause detrimental harm to the setting of a listed building;
- Overdevelopment of the land building excessively large;
- Undersize internal garage;
- No section 106 contribution;
- Additional traffic entering the Worthing Road, and subsequent Roundabout against Traffic Survey.

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

4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

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

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

## 6. PLANNING ASSESSMENTS

### Principle of Development

6.1 HDPF Policy 3 advises that development will be permitted within towns and villages which have defined built up areas provided that it can demonstrate that it is of an appropriate nature and scale to maintain the characteristics and function of the settlement in accordance with the settlement hierarchy as set out within the policy. The application site falls within the defined built up area of Southwater and the scale of the development would maintain the characteristics and function of the settlement. The principle of development is therefore considered acceptable, subject to detailed considerations.

### Character and appearance

6.2 The proposed dwelling would be sited to the south-west of Pond Farmhouse, a Grade II Listed Building. The historical maps show that this area of the site originally fell outside of the curtilage to the listed building, and was historically part of a reasonably narrow yet long field which ran south adjacent the highway. Whilst the area to be developed was not within the original garden area to the listed building the land directly abutted the southern boundary to the listed building. The setting to the listed building was therefore historically rural and open. While various housing developments within the locality has created a more urban character some sense of spaciousness remains around the listed building due to the relatively deep garden which leads south to Grand Oaks Grange.

6.3 The introduction of built form in the proposed location would alter the open and spacious character of the immediate setting to the listed building, and the Conservation Officer has objected to the application on this basis. It is though considered that this impact would be more apparent on plan form than within the actual vicinity of the Listed Building. An

established vegetated strip runs between the application site and Pond Farmhouse, and this significantly diminishes the contribution of any openness derived from the site to the setting of the Listed Building. As a result the majority of the proposed dwelling would not be visible from within the grounds of the Listed Building.

- 6.4 The significance of the listed building is primarily its architectural integrity, being of the local built vernacular which positively contributes to the historic development of the area. It is considered that application site does not make a particularly strong contribution to the setting of the listed building, with any semblance of the historical rural open setting derived primarily from the immediate curtilage to the building rather than the application site. The original boundaries of the historic farmhouse have been compromised over time, most recently through the granting of planning permission for a terrace of 3 dwellings on Grand Oaks Grange in 2009, and the concealed nature of the development would mean the setting of Pond Farmhouse would not be adversely affected by the proposal, any harm deriving from the proposal would therefore be less than substantial.
- 6.5 The application site is within an established residential area characterised by a mix of detached and terraced dwellings. Pond Farmhouse occupies a large irregular shaped plot with a pond to the east and converted outbuildings to the north of the application site. To the south recently constructed dwellings within Grand Oaks Grange are set back from the road frontage, as is Pond Farmhouse. There is existing tree screening along the road frontage to the west boundary of Pond Farmhouse which screens the application site, with only brief glimpses possible from the public realm.
- 6.6 The proposed dwelling would feature a barn-end roof with front and rear dormers, with traditional materials including stone and brick elevations and a hand-made clay tile roof. This approach would reflect surrounding development, most notably recent infill development to the east at Grand Oaks Grange. The scale of the dwelling and proposed plot size would reflect existing development in the immediate vicinity of the site and would not appear cramped or incongruous. The submitted plans allow for reinforcement of existing planting between the application site and Pond Farmhouse, and the resulting boundary would read as a continuation of that which exists to the rear of the dwellings on Grand Oaks Grange, and this could be secured through condition.

#### Impact on neighbouring amenity

- 6.7 Policy 33 of the HDPF requires that development avoids unacceptable harm to the amenity of occupiers/users of nearby property and land. There would be sufficient separation around the proposed building to prevent any harmful loss of light or outlook for occupants of adjoining properties. There is existing tree screening between the proposed dwelling and the neighbour to the north and the absence of window openings to the northern elevation would prevent any harmful overlooking of this adjoining property. The relationship between the proposed dwelling and properties on Grand Oaks Grange would not be uncommon in a residential location such as this, and it is considered that the resulting views created from the first level would not cause such harm as to warrant a refusal of planning permission.

#### Highways

- 6.8 The proposed dwelling would make use of an existing access off Worthing Road. The Highway Authority has identified no concerns in respect of visibility and has advised that the proposal would not be expected to have a severe impact on adjoining highways. While the garage would be undersized in comparison to WSCC standards there would be sufficient surface parking for future occupants of the dwelling. For the reasons outlined the proposal is considered to accord with Policies 40 and 41 of the HDPF.

## Conclusion

- 6.9 It is accepted that the development would result in some harm to the setting of the adjacent Grade II listed building, albeit this harm is of similar impact to that afforded by existing adjacent developments within the setting of this listed building. Nevertheless, under s.66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 the identification of harm to a listed building or its setting carries considerable weight and importance in the planning balance and leads to a strong presumption against the grant of permission. When assessed against the NPPF, in this case the level of harm is considered 'less than substantial'. Paragraph 134 sets out that where a proposed development would lead to 'less than substantial' harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal. The proposal would offer the public benefit of an additional dwellinghouse within the built-up area boundary of a sustainable settlement to help meet the housing needs of the District, within a scheme that provides appropriate landscaping to mitigate against much of the harm that would arise from its encroachment into the setting of the listed building. On this basis, and on balance, it is considered that the harm to the setting of the listed building would be minor and would be outweighed by the benefits of the proposal when considered under Policy 34 of the HDPF, paragraph 134 of the NPPF and within the statutory framework of s.66 of the Planning (Listed Buildings & Conservation Areas) Act. The application is therefore recommended for approval.

## COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.10 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.
- 6.11 **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	183.61	0	183.61
		<b>Total Gain</b>	<b>183.61</b>
		<b>Total Demolition</b>	<b>N/A</b>

- 6.12 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.13 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 It is recommended that planning permission is granted subject to the following conditions:

1. List of approved plans
2. **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

3. **Pre-Commencement (Slab Level) Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning

Authority. The development shall be carried out in accordance with the approved scheme.

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

4. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body shall be requiring the optional standard for water usage across the development. The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

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

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

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

6. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The approved landscape 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. Any plants, which within a period of 5 years, die, are removed, or become 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).

7. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, the parking turning and access facilities shall be implemented in accordance with the approved details as shown on plan no. KP 4 A 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).

8. **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes A, B, E, or H 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 amenity and due to the constraints of the site in accordance with Policies 33 and 34 of the Horsham District Planning Framework (2015).

Background Papers: DC/16/2608