



Mr Ben Kirk
Manorwood
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26 The Hornet
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**Pear Tree Farm Furners Lane Woodmancote Henfield
Demolition of existing buildings and erection of 3no chalet bungalow style dwellings in the
alternative to permission granted under DC/19/0742 and the retention of an internal access
track**

Your application DC/21/1379 has now been determined and I enclose the decision notice. The decision notice contains important information. Please take a moment to read it as further action may be required.

Conditions

Before you start work, information must be submitted for any conditions that require discharge before development can begin. The decision notice will set out what information need to be sent.

Failure to discharge conditions before commencing development could result in the development being unlawful or enforcement action being taken. You can notify us of your intention to initiate development by completing a pre-commencement notification which will help us to monitor your development. There is no fee to use this service. To do this, or for further information about discharging planning conditions, visit us online at horsham.gov.uk/planning/discharging-a-planning-condition

Community Infrastructure Levy (CIL)

If this development is CIL liable, the requirements of CIL must be met before you start work. Failure to do so could result in additional financial penalties. For further information relating to CIL visit horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/cil-charges-and-how-to-pay

If you have any questions about the decision notice, you can call us and speak to a member of the team on 01403 215187 between 9AM - 5PM, Monday to Friday.

If you are acting as the planning agent for this application, please ensure that the applicant is given a copy of the decision notice and this letter.

Yours Sincerely,
Development Management



Mr Ben Kirk
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Application Number: DC/21/1379

TOWN AND COUNTRY PLANNING ACT, 1990 (as amended)
TOWN AND COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby notify you that they PERMIT the following development, that is to say:

Demolition of existing buildings and erection of 3no chalet bungalow style dwellings in the alternative to permission granted under DC/19/0742 and the retention of an internal access track

Pear Tree Farm Furners Lane Woodmancote Henfield

to be carried out in accordance with Application No. DC/21/1379 submitted to the Council on 14/06/2021 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 14/09/2021

- 1 **Plans Condition:** The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

SCHEDULE OF PLANS/DOCUMENTS

Plan Type	Description	Drawing Number	Received Date
Location plan		200623_000	20.08.2021
Elevation plan	Proposed	200623_200	14.06.2021
Block plan		200623_001 001	05.08.2021
Floor plan	Proposed	200623_201	14.06.2021
Details plan	Proposed Materials	200623_900	14.06.2021

Reason: For the avoidance of doubt and in the interest of proper planning.

- 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 the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
- (c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

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).

- 4 **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).

- 5 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that dwelling have been implemented in accordance with the approved details as shown on plan 200623_001 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).

- 6 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 200623_001. 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).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for that dwelling in accordance with drawing number 200623_001. 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).

- 9 **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied until details of all boundary walls and/or fences have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the boundary treatments associated with that dwelling have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

- 10 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on plan reference 200623_900.

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).

- 11 **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).

- 12 **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, C, E, or F of Part 1 or Class A of Part 2 of Schedule 2 of the order shall be erected, constructed or placed within the curtilages 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 due to control the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Note to Applicant

The Applicant is advised that should any asbestos be found during demolition, such waste must be handled, removed and disposed of by a licensed asbestos contractor in accordance with the Control of Asbestos Regulations 2012.

Note to Applicant – Community Infrastructure Levy (CIL):

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

CIL is a mandatory financial charge on development. To avoid additional financial penalties, the requirements of CIL must be managed before development is commenced (including in the event of any successful appeal).

Payment must be made in accordance with the requirements of the CIL Demand Notice issued.

Note to Applicant

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

ADDITIONAL INFORMATION

Planning Permission – Important Provisos

If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations, or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted. The Building Control Department can be contacted on 01403 215151.

If this permission relates to new dwellings, commercial premises or other buildings which will require a new postal address you should contact the Council's Street Naming & Numbering Department as soon as possible or before work commences on site. Further details are available on the Street Naming page on the Council's website or alternatively e-mail streetnaming@horsham.gov.uk or telephone 01403 215139.

It is the responsibility of the developer to provide bins for the development. If you are a developer and need to purchase bins, please email hop.oast.admin@horsham.gov.uk.

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

Amendments

Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

Monitoring

Horsham District Council monitors the implementation of planning permissions. Please be aware that monitoring officers may visit the application site at various stages of the development to ensure compliance with the approved plans and conditions.

Right of Appeals

If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>.



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/21/1379

Pear Tree Farm, Furners Lane, Woodmancote, Henfield, West Sussex, BN5 9HX

DESCRIPTION:

Demolition of existing buildings and erection of 3no chalet bungalow style dwellings.

RELEVANT PLANNING HISTORY:

HF/29/01	Certificate of lawful use relating to the commercial storage of up to 600 used tyres for subsequent distribution Site: Pear Tree Farm Furners Lane Woodmancote	Application 23.10.2001	Refused	on
HF/103/02	Certificate of lawful development relating to the commercial storage of up to 600 used tyres for subsequent distribution Site: Pear Tree Farm Furners Lane Woodmancote	Application 12.05.2003	Permitted	on
DC/17/1401	Prior Approval for Change of Use falling within Class B8 (storage or distribution centre) to dwellings (C3 Use Class)	Prior Approval Required and PERMITTED on 31.08.2017		
DC/19/0742	Erection of 1 detached and 2 semi-detached single storey dwellings	Application 28.02.2020	Permitted	on
DC/20/0895	Application to confirm external tyre storage yard having been in existence for in excess of 10 years (Certificate of Lawful Development - Existing)	Application 04.09.2020	Permitted	on

SITE AND SURROUNDS

The application site is located to the north of Furners Lane, outside of any designated built-up area boundary. The site is therefore located within the countryside in policy terms.

The site comprises 2no. Use Class B8 buildings located along the frontage of the site. These buildings are subject of an extant permission for demolition and replacement with 3no. dwellings. These buildings are accessed from the south-west, with the land levels slightly raised above the private track.

The wider site comprises hardstanding and paddock land, with the area to the north of the site subject of an Enforcement Notice under reference EN/18/0018 for, without planning permission, the excavation of the Land and consolidation of imported material to form a hardstanding and the creation of an earth bund; the unauthorised change of use from agricultural purposes and equestrian grazing land to a mixed use comprising the storage of caravans for the purposes of human habitation and the storage of caravans and the laying of associated hardstanding; and unauthorised change of use from agricultural and equestrian use to Class B8 use which includes the stationing of metal containers used for storage purposes and the storage of rubber tyres and building materials for distribution in connection with the unauthorised B8 use.

The wider surroundings are characterised by enclosed agricultural fields and woodland, with sporadic residential development within the locality. The built-up area boundary of Henfield is located approximately 0.8km to the west.

DETAILED DESCRIPTION

The application seeks full planning permission for the demolition of the 2no. existing buildings and the erection of 3no. 4-bed detached chalet bungalows.

The proposed dwellings would be located to the south of the site and oriented to face north, with each dwelling equally spaced across the breadth of the site. Each dwelling would measure 9m x 9m and would incorporate a pitched roof measuring to an overall height of 6.5m. A two storey gable projection would extend from the northern elevation, with 3no. pitched roof dormers located on the southern elevation. The dwellings would be finished in facing brick to the elevations and painted weatherboarding to the dormers, with clay roof tiles and aluminium glazing.

Each dwelling would benefit from a private amenity space extending to the north, with dedicated parking for Unit 1 located to the west and dedicated parking for Units 2 and 3 located to the north. Bin and bike stores, as well as electric vehicle charging points would also be located in these areas.

The application also includes the retention of the access track which would extend to the north and west of the amenity spaces, providing access to the parking areas for Units 2 and 3 as well as the northern portion of the wider site.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (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 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
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 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

Henfield Neighbourhood Plan

Policy 1 – A Spatial Plan for the Parish
Policy 4 – Transport, Access and Car Parking
Policy 12 – Design Standards for New Development

Henfield Parish Design Statement

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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

Consultations:

INTERNAL CONSULTATIONS

HDC Environmental Health: From undertaking a site visit it is apparent that a yard area currently used to store tyres is located beyond the red boundary line to the immediate east of the proposed location of the dwellings. We accept that currently the yard area does not appear to be used for intensive commercial activities. However, given the lack of separation between the proposed dwellings and the yard area, and the fact that the yard area sits outside of the red boundary line so any activities cannot be controlled through this application, any intensification of activities on the land to the immediate east is likely to have a significant impact on the amenity of the proposed dwellings.

It is appreciated that there is an existing planning permission granted under DC/19/0742, we did however comment on this application in April 2019 and, similar to the above, raised concerns with regards to noise. Given the above we are still of the view that there is insufficient information on potential noise impacts to determine the application.

Given the commercial use of the site, a land use which Environmental Health considers potentially contaminating and, from undertaking a site visit, the likely presence of made ground on the site associated with the current development we are of the view that the ground on the site has the potential to be contamination. Contamination assessments will therefore need to be undertaken to assess the risks to future site users, we are however happy to request this information through suitably worded conditions.

OUTSIDE AGENCIES

WSCC Highways: The dwellings will be accessed via the existing vehicular access on Furners Lane. The Local Highways Authority does not anticipate that the proposed development would give rise to a significant material intensification of movements to or from the site. Furners Lane is a single-track lane with limited passing places; however, chances of vehicular conflict are anticipated to be low.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

The Applicant proposes parking for nine cars. The WSCC Car Parking Demand Calculator indicates that a development of this size in this location would require at least nine car parking spaces. Therefore, the Local Highways Authority considers the proposed parking provision to be sufficient. There is space within the site for on-site turning to be achievable, allowing cars to exit the site in a forward gear.

The Local Highways Authority 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, and that there are no transport grounds to resist the proposal.

Southern Water: It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Parish Comments:

Objection as the development is contrary to Policies 1, 2, 3, 4, 26, 27 and 33 of the Horsham District Planning Framework (2015).

Representations:

None received

HUMAN RIGHTS

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 the application. Consideration of human rights is an integral part of the planning assessment set out below.

PLANNING ASSESSMENT

The main considerations material to this application relate to:

- Principle of Development
- Design and Appearance
- Amenity Impacts
- Highways Impacts
- Climate Change

Principle of Development:

The application site is subject of an extant planning permission under reference DC/19/0742 for the demolition of the 2no. existing buildings and the erection of 3no dwellings. This application has established the principle of new-build dwellings on the site.

The current application seeks to improve the quality of accommodation through the provision of 3no. detached dwellings and an enlarged area of private amenity space, which would extend to the north of each of the units. Additional car parking space would also be provided to the north and west of the proposed residential dwellings, with the proposal also seeking the retention of the internal access track which would serve the parking area and the wider site.

The fallback position is a material consideration of weight, with the proposed scheme considered to improve the quality and provision of accommodation within the site, while also providing a greater level of private amenity space and parking provision. While the provision of new dwellings in this countryside location would not usually be supported by policy, given the fallback position through the extant planning permission, it is considered that the proposed scheme would result in a built form that would improve and enhance the character of the semi-rural locality. The fallback position is considered to be of significant weight to the consideration of the current application, with the proposed development likely to provide a better and more appropriate re-development of the site that would improve the quality of accommodation for future occupants.

In weighing the policy considerations and the existence of a fallback position, it is considered that the principle of the proposed redevelopment is acceptable, subject to all other material considerations.

Design and Appearance:

Policy 25 of the HDPF states that the natural environment and landscape character of the District, including landscape, landform and development pattern, together with protected landscapes, will be protected against inappropriate development. Proposals should protect, conserve and enhance the landscape character, taking into account areas identified as being of landscape importance. In addition, policies 32 and 33 of the HDPF promote development that is of a high quality design, which is based upon a clear understanding of the local, physical, social, economic, environmental, and policy context. Development will be expected to provide an attractive, functional, and accessible environment that complements locally distinctive characters and heritage of the District. Development should contribute to a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings and the historic landscape in which they sit. Development should ensure that the scale, massing and appearance of the development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site.

Policy 12 of the Henfield Neighbourhood Plan states that as appropriate to their scale, nature and location, development proposals will be supported where their design and detailing meet the relevant requirements in the Henfield Parish Design Statement. In addition, as appropriate to the site concerned, development proposals should be of a scale, density, massing, height, landscape design, layout and materials that are of a high quality and reflect the architectural and historic character and scale of the surrounding buildings and street scene/landscape.

Paragraph 130 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture,

layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.

The proposed dwellings would be located to the south of the site and oriented to face north, with each dwelling equally spaced across the breadth of the site. Each dwelling would measure 9m x 9m and would incorporate a pitched roof measuring to an overall height of 6.5m. A two storey gable projection would extend from the northern elevation, with 3no. pitched roof dormers located on the southern elevation. The dwellings would be finished in facing brick to the elevations and painted weatherboarding to the dormers, with clay roof tiles and aluminium glazing.

Each dwelling would benefit from a private amenity space extending to the north, with dedicated parking for Unit 1 located to the west and dedicated parking for Units 2 and 3 located to the north. Vegetation would be planted between each of the amenity spaces, with the vegetation along the frontage of the site also retained.

The application site is located within a countryside setting, formerly comprising paddock land associated with an equestrian use. The site has however evolved, with a Certificate of Lawful Development under reference HF/103/02 confirming the use of the south-eastern building and land to the east for the storage of tyres. While the site has been subject of a mixed use since this time, it has largely remained undeveloped, with the paddock land retained. This has however been formalised most recently, albeit without the benefit of planning permission, with the laying of additional hardstanding and the material change of use of the northern portion of the site to the stationing of caravans (habitable and non-habitable) and the storage of tyres. This operational development and material change of use is unauthorised and subject to an Enforcement Notice.

The application site is well-enclosed with mature vegetation and closeboarded fencing. While the site is slightly raised above Furners Lane, given the boundary vegetation, there is limited intervisibility. Given the proximity to the southern boundary, the existing buildings are visible from along the public footpath, albeit that they are relatively modest in scale (measuring to a ridge height of 3.7m).

Matters of design and appearance were considered under planning permission reference DC19/0742. It was recognised at this time that the robust and extensive screening which encloses the site would limit public views into the site. It is however acknowledged that this permission related to the replacement of the buildings with development of a siting, scale, form and design that reflected the form and appearance of the existing buildings. While this permission is of note, the proposed development would be materially different in design and appearance to that approved, and the weight to be given to this extant permission in this regard is considered limited.

The proposed development would replace these 2no. buildings with 3no. detached dwellings that would extend to a ridge height of 6.5m. While these would be greater in height than the existing buildings, and would therefore appear more prominent from the public right of way, these dwellings would be sited slightly further to the north and would therefore appear less dominant within the street scene. The proposed dwellings are considered to be more reflective of the locally distinctive vernacular, with the use of a material palette that would reflect similar dwellings within the locality. As such, the dwellings are considered to be of a higher quality which would better reflect and reinforce the built characteristics and character of the locality. The proposed development is therefore considered to result in some benefit in this regard, and this is of weight in the planning balance.

It is recognised that the enlarged amenity spaces, which would extend further to the north, would result in the loss and further encroachment of the paddock land. This would affect the field pattern within the site and wider landscape and would further formalise the setting. While this would result in some landscape character impact, it is recognised that the application site is well-enclosed with limited intervisibility and wider landscape views; and as such, this division would not be overtly recognisable from wider landscape views or public viewpoints. Although this division would impact upon the field pattern of the landscape character area, it is recognised that the enlarged private amenity spaces would improve the quality of the accommodation and result in benefit for future occupiers, this is considered to weigh in favour of the proposal.

The application also includes the retention of the access track which would extend to the north and west of the amenity spaces, providing access to the parking areas for Units 2 and 3 as well as the northern portion of the wider site. This track has subdivided the paddock land, creating smaller parcels of land to the north and south and formalising the setting. While this track has subdivided the site, impacting on the landscape character of the area, it is recognised that the wider site is well-enclosed with limited public views. As such, while resulting in some landscape harm the development is considered to have an acceptable visual impact.

The access track would provide dedicated access and parking for Units 2 and 3 of the proposal, as well as providing access to the northern portion of the site. It would also provide an edge to the proposed development and would help to rationalise and limit the spread of development across the wider site. While the access track has resulted in some landscape character impact, it is recognised that this track provides some benefit in respect of access and parking for the proposed units, as well as limiting further intrusion and encroachment into the wider setting. On the balance of these considerations, and given the limited visual impact, it is considered that the internal access track is acceptable.

It is acknowledged that the proposed development would alter the landscape character of the area, with the further division of the paddock land and the addition of 3no. dwellings resulting in a greater scale and spread of development. Although the development would result in a built form of greater height than the existing buildings, these would utilise a form and material palette that would reflect the built surroundings and local vernacular, with the external appearance of the resulting dwellings considered to better reflect the character of the wider locality. For these reasons, while the proposal would result in some harm to the landscape character, this is considered to be limited, with the well-enclosed and screened context of the site considered to reduce the visual impact.

While the proposed development would result in limited landscape character harm, it is recognised that the proposed development would improve the quality of accommodation of future occupants, with the enlarged amenity areas and designated parking, considered to result in benefit. These benefits are of weight and are considered to outweigh the limited landscape harm arising from the proposed development. On the balance of all considerations, the proposed development is therefore considered acceptable, in accordance with Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

Amenity Impacts:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contributes 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.

The proposed dwellings would be located over the footprint of the existing buildings, albeit that the dwellings would extend to a greater height. It is however recognised that the application site is well-enclosed and screened from the nearby residential properties, which are located at a distance of approximately 80m to the north. Given this spatial context, it is not considered that the proposed development would result in any further harm to the amenities and sensitivities of the nearby residential properties and users of land, in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

Policy 4 of the Henfield Neighbourhood Plan states that adequate off-road car parking should be provided for all developments in accordance with West Sussex Parking Standards.

The proposal would utilise the existing access to the south-west of the site, with dedicated parking for 3no. vehicles to each unit proposed to the north and west of the proposed dwellings. An internal access track is also sought to be retained, which would provide access to the parking areas for Units 2 and 3 to the north.

Following consultation with WSCC Highways, it is not anticipated that the proposed development would give rise to a significant material intensification of movements to or from the site. It is recognised that

Furners Lane is a single track land with limited passing places, however it is considered that the chance of vehicular conflict is low. There is no evidence to suggest that the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

The WSCC Car Parking Demand Calculator indicates that a development of this size in this location would require at least nine car parking spaces. It is therefore considered that the proposed parking provision would be sufficient. In addition, there is space within the site for on-site turning to be achievable, allowing cars to exit the site in a forward gear.

For these reasons, the proposed development is considered to provide safe and adequate access, suitable for all users, in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

Climate change:

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.

Should the proposed development be approved, the following measures to build resilience to climate change and reduce carbon emissions would be secured by condition:

- 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

Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Other Matters:

The land to the north-east of the site is subject of an Enforcement Notice relating to a change of use of land for the stationing of residential caravans and for the stationing of storage containers (ref: EN/18/0018). This proposal would not affect or prejudice the above outcome of this Notice.

While the site access would serve the proposed dwellings and the wider site to the north, the lawful use of the site is primarily for equestrian related uses, including as a paddock. The arrangement of the proposed dwellings and adjoining land would not be unexpected or unusual in a countryside location. The access to the site is well defined and the level of lawful activity on the site would not be at a level which would be undesirable in this location.

The proposal would result in the loss of buildings used for the commercial storage of tyres. While the HDPF seeks to retain land in commercial use in this instance its loss would result from the implementation of the extant prior approval. As the refusal of this application would not result in the retention of this commercial use there are considered to be no concerns in this regard.

There is no evidence before the Authority that the proposed development would impact upon protected species, habitats or trees. There are no relevant heritage assets or archaeological designations that would warrant consideration in this instance.

Conclusions:

The application site is subject of an extant planning permission under reference DC/19/0742 which has established the principle of new-build dwellings on the site. The proposed development would improve the quality of the accommodation, providing larger private amenity spaces and dedicated parking for each dwelling. The proposal would also result in dwellings that would reflect the built form and appearance of the local vernacular, resulting in better proportioned development within the rural location. These are considered to result in social benefits that are of weight in the planning balance.

While recognised that the resulting development, including the internal access track, would result in some landscape character harm, this is considered to be at the lesser end of the scale. When balancing the

public benefits arising from the development, it is considered that these would outweigh the limited harm to the landscape character. Furthermore, the proposal would not result in harm to the amenities and sensitivities of neighbouring properties, or the safety and function of the highway network.

On the balance of all considerations, the proposal is considered to accord with all relevant local and national planning policies.

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	357.9		357.9
	Total Gain		
	Total Demolition		272.9

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

Recommendation: Application Permitted

Conditions:

- 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 the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
- (c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements

for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

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).

- 4 **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).

- 5 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that dwelling have been implemented in accordance with the approved details as shown on plan 200623_001 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).

- 6 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 200623_001. 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).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for that dwelling in accordance with drawing number 200623_001. 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).

- 9 **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied until details of all boundary walls and/or fences have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the boundary treatments associated with that dwelling have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

- 10 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on plan reference 200623_900.

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).

- 11 **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).

- 12 **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, C, E, or F of Part 1 or Class A of Part 2 of Schedule 2 of the order shall be erected, constructed or placed within the curtilages 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 due to control the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

The Applicant is advised that should any asbestos be found during demolition, such waste must be handled, removed and disposed of by a licensed asbestos contractor in accordance with the Control of Asbestos Regulations 2012.

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/21/1379

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Location plan		200623_000	20.08.2021
Elevation plan	Proposed	200623_200	14.06.2021
Block plan		200623_001 001	05.08.2021
Floor plan	Proposed	200623_201	14.06.2021
Details plan	Proposed Materials	200623_900	14.06.2021

DELEGATED

Case Officer sign/initial Tamara Dale Date: 13/09/2021

Authorising Officer sign/initial Guy Everest Date: 14.09.2021

Address

Pear Tree Farm, Furners
Lane, Woodmancote,
Henfield, BN5 9HX

Drawing

Site Drawings:

Location Plan

Scale @ A3

1:1250

Drawn:	Issued:
10.06.2021	11.06.2021
Drawn By	Checked By
MD	BK

Job No.
200623

Drawing No.
200623_000

Revisions:
###

Ordnance Survey
Ukmapcentre.com



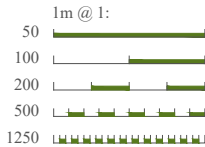
Serial number: 117461
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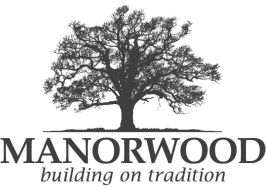
Location Plan

1:1250

Status

FOR COMMENT





The Old Surgery
Rumbolds Hill
Midhurst
West Sussex
GU29 9BY

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All dimensions must be checked on
site prior to commencement of works

Address

Pear Tree Farm, Furners
Lane, Woodmancote,
Henfield, BN5 9HX

Drawing

Site Drawings:

Block Plan

Scale @ A3

1:500

Drawn:	Issued:
03.08.2021	04.08.2021

Drawn By	Checked By
MD	BK

Job No.
200623

Drawing No.
200623_001

Revisions:
001 - Scale Decreased

Status

FOR COMMENT

