# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1969
Okewood House , The Haven, Billingshurst, West Sussex, RH14 9BS

DESCRIPTION:
Variation of Condition 1 of previously approved application DC/22/0871 (Demolition of existing western wing and store. Erection of a two storey side extension. Blocking up of existing and creation of new openings and construction of a single storey glazed link. Alterations to existing Cottage building including erection of a porch. Closure of existing access and upgrading existing gated opening to form main access with associated landscaping) Relating to the relocation of the approved chimney, re-orientation of the chimney pots and narrowing of the chimney to the west elevation. Removal of the chimney from the eastern elevation. Minor internal alterations and materials change.

RELEVANT PLANNING HISTORY:

| | | |
|---|---|---|
| DC/22/0871 | Demolition of existing western wing and store. Erection of a two storey side extension. Blocking up of existing and creation of new openings and construction of a single storey glazed link. Alterations to existing Cottage building including erection of a porch. Closure of existing access and upgrading existing gated opening to form main access with associated landscaping. | Application Permitted on 29.09.2022 |

RELEVANT PLANNING POLICIES
**The National Planning Policy Framework (NPPF)**

**Horsham District Planning Framework (2015):**
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

**Rudgwick Neighbourhood Plan**
RNP1 – Spatial Strategy
RNP6 – Materials
RNP7 – Architectural Style
RNP8 – Development Height

**Rudgwick 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:
None Received

Parish Comments:
Query whether the changes made during the construction, and the deviation from the approved plans, can be regularised under this Variation of Condition application or is a further retrospective planning application necessary.

Representations:
One representation was received raising no objections.

HUMAN RIGHTS AND EQUALITY:
The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT
This application seeks a minor material amendment, through the variation of condition 1 of planning permission DC/22/0871. This permission entailed, 'Demolition of existing western wing and store. Erection of a two-storey side extension. Blocking up of existing and creation of new openings and construction of a single storey glazed link. Alterations to existing Cottage building including erection of a porch. Closure of existing access and upgrading existing gated opening to form main access with associated landscaping'.

The amendments to the approved scheme entail: -

- Relocation of the approved chimney
- Re-orientation of the chimney pots and narrowing of the chimney to the west elevation.
- Removal of the chimney from the eastern elevation
- Minor internal alterations and materials change.

The application has been assessed on the basis of the submitted details, together with the planning history of the site and adjoining properties and available images. These details were considered sufficient to allow the application to be properly considered and determined.

**Character and Appearance**

Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.

Policy 28 of the Horsham District Planning Framework (HDPF) states that outside of the defined built-up area, replacement dwellings will be supported if the development can be accommodated appropriately within the curtilage of the existing dwelling. In addition, replacement dwellings will only be supported on a one for one basis if it can be demonstrated that the property is not derelict, and should not be disproportionate to the size of the existing dwelling.

The works primarily involve alterations undertaken to the approved design, including the relocation of the chimney, re-orientation and narrowing of the chimney pots on the west elevation, removal of the chimney from the eastern elevation, and minor internal alterations together with a change in materials.

In terms of the relocation of the chimney, it is considered that the new position has not significantly altered the overall design or visual character of the building or surrounds. The re-orientation of the chimney pots and narrowing of the chimney on the west elevation is similarly a minor adjustment, which has resulted in a negligible impact on the overall appearance of the building, with the alteration not highly visible from key vantage points and not harmful to the street scene. The removal of the chimney from the eastern elevation simplifies the appearance of the property and contributes to a more cohesive modern aesthetic.

The internal alterations have no noticeable effect on the building's external appearance and raise no further considerations.

The selected materials align with the character of the surrounding built environment, ensuring that the development remains consistent with the established style of the area.

Overall, the (retrospective) amendments are considered to be acceptable and are in keeping with the character and appearance of the existing building and the wider surrounding area, in accordance with the above policies.

**Impact on Neighbouring Amenity**

Policy 33 of the Horsham District Planning Framework (HDPF) ensures that development does not cause unacceptable harm to the amenity of the occupiers or users of nearby properties and land.

The nature, scale and siting of the amendments and the resulting relationship with surrounding properties is considered sufficient to ensure no unacceptable impact on neighbouring amenity has resulted, in accordance with the above policy.

**Water Neutrality**

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

**Biodiversity Net Gain (BNG)**

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG), unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024).

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of: -

- The original planning permission to which this section 73 planning application relates was made or granted before 12th February 2024 (in respect of major development), or before 2nd April 2024 (in respect of non-major development) under Regulation 3 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

**Conclusion**

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

**Recommendation: Application Permitted**

Conditions:

2 Not used

3 **Pre-Commencement Condition**: Prior to commencement of any works which will impact the breeding/resting place of Bats - European protected species mitigation license for bats:

Any works which will impact the breeding / resting place of bats shall not in in any circumstances commence unless the local planning authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or

b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

4 **Regulatory Condition**: The development shall take place in strict accordance with the Arboricultural Survey and Planning Integration Report (received 04.10.2022) approved under application ref: DISC/22/0288.

Reason: To ensure the successful and satisfactory retention of important trees on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Pre-Use Condition**: The use of the access hereby approved shall not commence until the existing access has been closed off in accordance with the approved plan reference 211210-02 rev A.

Reason: To ensure adequate visibility splays is available to serve the development and in the interests of road safety in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

6 **Pre-Use Condition**: The use of the access hereby approved shall not commence until visibility splays of 2.4 x 59 metres in a North and Southbound direction have been provided at the proposed site vehicular access onto Marles Lane in accordance with plan reference 1694-002. The splays shall be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: To ensure adequate visibility splays is available to serve the development and in the interests of road safety in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition**: Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and

approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Details of all external lighting

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in the Bat Survey Report Phase 1 & 2 (Plan Ecology Ltd, February 2022) received on 30.08.2022.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority Habitats & Species).

9 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

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).

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.

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**Plans list for: DC/24/1969**

(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 |
|---|---|---|---|
| Design & Access Statement | Planning | NONE | 18.12.2024 |
| Elevation plan | | OKE 011 | 18.12.2024 |

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| Elevation plan | | OKE 010 | 18.12.2024 |
| Block plan | | OKE 009 | 18.12.2024 |
| Location plan | | OKE 008 REV A | 18.12.2024 |
| Roof plan | | OKE 003 REV A | 18.12.2024 |
| Floor plan | | OKE 002 REV A | 18.12.2024 |
| Floor plan | | OKE 001 REV A | 18.12.2024 |
| Site plan | Proposed Site Plan | 211210-02 rev A | 22.06.2022 |
| Plans | Proposed Access and Visibility Splays | 1697-002 | 28.06.2022 |
| Layout plan | Proposed Access Swept Path Plan Analysis | 1697-004 | 18.08.2022 |
| Supporting Statement | Preliminary Roost Assessment | NONE | 04.05.2022 |
| Supporting Docs | Bat Survey Report Phase 1 & 2 by Plan Ecology Ltd dated May-July 2022 | 644 | 30.08.2022 |

**DELEGATED**

Case Officer sign/initial Shazia Penne Date: 04.02.2025

Authorising Officer sign/initial Guy Everest Date: 12.02.2025