Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0694
Stable House, Marlands Park, Barns Green, West Sussex, RH13 0BF

DESCRIPTION:
Extension of existing residential property to create a subterranean swimming pool complex for family use.

RELEVANT PLANNING HISTORY:

DC/21/0187	Erection of a stable and hay/garden machinery store.	Application 09.04.2021	Permitted	on
DC/21/0677	Amendments to existing fenestration on north west elevation relating to (DC/14/1358)	Application 07.07.2021	Permitted	on
DISC/21/0202	Approval of details reserved by condition 3 on application DC/21/0187.	Application 25.03.2022	Permitted	on
DC/22/1040	Change of use of land and extension of residential curtilage. Construction of a swimming pool.	Application 02.11.2022	Permitted	on
DC/24/0466	Erection of a single storey side extension.	Application 30.05.2024	Permitted	on

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (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 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles

Neighbourhood Plan:
Itchingfield Parish have produced a neighbourhood plan which have been subject to successful Examination but cannot proceed to Referendum because of the legal requirements in relation to Water Neutrality and the Habitat Regulations. The following policy is of significant weight subject to water neutrality being demonstrated:
Policy 12: Design of housing

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:

Natural England: No Objection
Subject to appropriate mitigations being secured by way of condition

HDC Arboricultural Officer: No Objection

Parish Comments:
Itchingfield Parish Council recommend this planning application for approval.

Representations:
None received

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

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

Character and Appearance

Policy 28 states outside the defined built-up areas, house extensions, replacement dwellings and ancillary accommodation will be supported if the development can be accommodated appropriately within the curtilage of the existing dwelling.

Policies 32 and 33 of the HDPF seek to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing and appearance of development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

The application seeks planning permission for an extension of existing residential property to create a subterranean swimming pool complex for family use. The proposed extension would be set within the ground level, adjacent to an existing subterranean family roof, with one open elevation facing south-west opening on to a hard landscape area. The roof would be incorporated within the existing terrace over head- this area is currently laid to grass.

The overall form would be a clearly subservient addition and is considered to be of a design, form and scale which, given its siting and modest scale, is appropriate to the character and appearance of the existing dwelling, and which would not harm the character or appearance of the wider area or the countryside location. Though large, the addition would be comfortable accommodated within the curtilage of the dwelling. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies

Impact on Neighbouring Amenity

Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

It is considered that the siting and layout of the proposed extension and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Water Neutrality

The application site falls within the Sussex North Water Supply Zone as defined by Natural England and which includes supplies from groundwater abstraction which cannot, with certainty, demonstrate no adverse impacts upon the defined Arun Valley SAC, SPA and Ramsar sites.

A recently received advice note from Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The submitted Water Neutrality Statement indicates a volume of 77,500l, which would be initially filled by importing water from outside of the water supply zone. The statement further indicates that annual loss of water (through use and evaporation) would total some 9,530l (some 26.1l/d). In order to offset against this loss, rainwater would be harvested from part of the roof of the dwelling and collected within a 5,000l tank. Some 41,040l can be captured from the roof per annum (112.4l/d) which would accommodate the tank and regular top up. In addition, a 35-day drought contingency (35 x 26.1 = 913.8) would also be accommodated within the tank. Furthermore, the cartridge based cleaning system would also use minimal water, and harvested rainwater could also be used for this process.

With the above in mind, through the use of importing water for the initial fill and rainwater harvesting to accommodate water loss, the proposal would be water neutral. The above strategy has been accepted by the Council in consultation with Natural England. Conditions are attached accordingly.

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 **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 (slab level) Condition**: No development above ground floor slab level shall commence until full details of the rainwater harvesting system required by the approved water neutrality strategy June 2024 and received 12.06.2024 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 include details of its location and appearance.

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 185 and 186 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

4 **Pre-Use Condition**: The swimming pool hereby permitted shall not be first used (through its filling with water) until details setting out how water will be provided to the site have been

submitted to and approved in writing by the Local Planning Authority. These details shall set out measures to ensure the swimming pool sources water by way of delivery without placing additional demand on the mains water supply and the Sussex North Water Catchment Area. The swimming pool shall thereafter be filled in accordance with the agreed details, which shall be adhered to thereafter.

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), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

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

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).

6 **Regulatory Condition**: The swimming pool hereby permitted shall be used solely for purposes incidental, as a private residential swimming pool, to the occupation and enjoyment of Stable House, Marlands Park, Barns Green, and shall not be used for any business or commercial purposes.

Reason: The establishment of a commercial use would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation and neighbouring properties, contrary to Policy 26 and 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.

Plans list for: DC/24/0694

Schedule of plans/documents **approved**:

Plan Type	**Description**	**Drawing Number**	**Received Date**
Supporting Statement		NONE	12.06.2024
Site plan	Proposed	103 REV A	03.05.2024
Elevation plan	Existing	020	03.05.2024
Floor plan	Proposed basement	109	03.05.2024
Roof plan	Existing	112 REV A	03.05.2024
Elevation plan	Proposed	120	03.05.2024
Elevation plan	Proposed	122	03.05.2024
Location plan		NONE	03.05.2024
Supporting Statement	Planning	NONE	03.05.2024
Supporting Statement	Tree survey, tree constraints plan, soil deposition strategy and landscape management strategy	NONE	03.05.2024

Site plan	Existing	003	03.05.2024
Floor plan	Existing basement	009	03.05.2024
Roof plan	Existing	012	03.05.2024

DELEGATED

Case Officer sign/initial Marie Riggs Date: 26.07.2024

Authorising Officer sign/initial RHERMITAGE Date: 29.07.2024