Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/0415
Roma Farm Cottage, Wineham Lane, Wineham, West Sussex, BN5 9AG

DESCRIPTION:

Demolition of existing detached residential dwelling and erection of a new residential dwelling and garage.

RELEVANT PLANNING HISTORY:

DC/23/1745	Prior approval for the enlargement of an existing dwellinghouse by addition of an additional storey resulting in an increase in height of 2.56m.	Prior Approval Required and PERMITTED on 13.11.2023.
DC/23/1744	Erection of a single storey side extension and ancillary outbuilding (Lawful Development Certificate - Proposed)	Application Permitted on 14.11.2023.
DC/23/1417	Erection of a single storey side extension and detached carport (Lawful Development Certificate - Proposed)	Split Decision on 15.09.2023
DC/23/0995	Prior approval for the enlargement of an existing dwellinghouse by addition of an additional storey resulting in an increase in height of 2.56m.	Prior Approval Required and REFUSED on 04.07.2023.
DC/23/0994	Erection of a single storey side extension and detached outbuilding (Lawful Development Certificate - Proposed)	Application Refused on 11.07.2023.
DC/20/1837	Application to confirm the occupation of 'Roma Farm Cottage' as a self-contained dwellinghouse for a continuous period exceeding four years previous (Certificate of Lawful Development - Existing).	Application Permitted on 16.04.2021.

SITE AND SURROUNDS

The application site sits outside of the built-up area boundary and is therefore within a countryside location in policy terms. The property is situated to the western side of Wineham Lane, outside the built-up area of the village of Wineham. Access to the site is currently from the north through the main farm entrance. The site encompasses an incidental curtilage of approximately 0.3 acres which is a corner of a field around the dwelling at the southern end of a track within the farm complex.

DETAILED DESCRIPTION

The application seeks full planning permission to demolish the existing detached residential dwelling and erect a new residential dwelling and garage. The dwelling would replace the existing single storey dwelling currently on the site.

An application to confirm the occupation of Roma Farm Cottage as a self-contained dwellinghouse for a continuous period of more than 4 years was submitted under reference DC/20/1837 and confirmed that the building has been in use as a dwellinghouse with occupants since October 2009 and it has been in continual use since then.

The proposed dwelling would be located to the south of the site, with a detached garage sited in the location of the previous dwelling. The proposed dwelling would comprise a traditional style appearance, with brick and tile hanging to the house and timber cladding to the garage. The roof would have clay tiles and doors and windows would be upvc. A chimney is proposed, with windows on the front and rear elevations, and no windows on the side elevations, apart from on the ground floor. The proposed dwelling would have a GIA of 97.27 sqm on the ground floor, and 90.09 sqm on the first floor. The garage would have a GIA of 42.79 sqm. The total accumulated GIA for both the dwelling and garage would be 140m2.

It is noted that the site benefits from a prior approval for the enlargement of the dwellinghouse by additional storey, which would increase the height by 2.56m. The proposed GIA would be 74m2. It is further noted that a single storey side extension and ancillary outbuilding lawful development certificate was also granted allowing for further extension to the dwelling. The garage would have a GIA of 48m2, and the single storey extensions added to the ground floor would increase that GIA to 102m2. These demonstrate a viable fallback position that could be implemented if this application were refused.

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 16 - Strategic Policy: Meeting Local Housing Needs
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 27 - Settlement Coalescence
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 40 - Sustainable Transport
Policy 41 - Parking

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five-year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Wineham and Shermanbury Neighbourhood Plan (2014-2031):
Policy 5 - Design

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:

OUTSIDE AGENCIES

WSCC Highways: Comment

The site is located on Wineham Lane, a C-classified road subject to a speed restriction of 60 mph. Following an inspection of the application documents, WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns for this application.

The LHA previously provided consultation advice for this site for application DC/22/1353, raising no highway safety concerns. This Local Planning Authority (LPA) permitted the application to allow the creation of a new access onto Wineham Lane to serve the existing dwelling.

The applicant proposes four car parking spaces for this development on the driveway and proposed double-bay garage. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size in this location would require at least three car parking spaces. Therefore, the LHA is satisfied with the proposed level of parking provision.

From inspection of the plans, there is ample room on the driveway to accommodate four car parking spaces and on-site turning appears achievable.

The site is situated in a rural area that lacks access to immediate services, amenities, and public transport links. The nearest town is Burgess Hill, approximately 11km east of the site. In addition, Wineham Lane lacks footways and street lighting – as such, residents may have a reliance on the private car.

The LHA 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 (paragraph 115), and that there are no transport grounds to resist the proposal.

Southern Water: Comment

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:

None received.

Representations:

None received.

Member Comments:

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

Principle of Development:

Policy 28 of the HDPF supports development outside the defined built-up area boundaries that can be accommodated appropriately within the curtilage of the existing dwelling. Replacement dwellings should not be disproportionate to the size of the existing dwelling, with extensions also in-keeping with the scale and character of the existing dwelling. The cumulative impacts of existing extensions will be taken into account.

It is noted that the property benefits from a prior approval application for an additional storey which allowed for an increase of height of 2.56m. This 'fallback' position is acknowledged, with the prior approval capable implementation, representing a viable and realistic position. This is a material consideration of significant weight. Notwithstanding other material planning considerations, a refusal of the current application with regards to the principle of development would not therefore prevent an enlarged residential dwelling on the site.

Design and Appearance:

Policies 32, and 33 of the HDPF promote development that protects, conserves, and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

WASP Policy 5 – *development proposals should ensure that the design is in keeping with the prevailing character of the surrounding area.*

The proposal would involve the creation of a new dwelling on the site of an existing single storey dwelling which is to be demolished. As above, there is a prior approval for an additional storey, single storey extension and a detached garage, which would be considered lawful at the site, and has established a viable fallback position.

While it is acknowledged that the height of the proposed dwelling would be greater than the fallback, the proposed development is a visual improvement from the existing and the resulting dwelling should the prior approval consent be built out (DC/23/1745). The proposal represents a traditional residential appearance, utilising gables and having windows on the front and rear elevations overlooking the north and south of the site. The accumulated total GIA would be a reduction from the fallback at 140m2, where the fallback has a GIA of 150m2.

The proposed height would be approximately 8m. The fallback position has a height of 6.5m. It is considered that the additional height above the fallback would not have a detrimental impact to the site or the surroundings, with the dwelling sufficiently separated from nearby amenity to ensure limited harm. The length of the dwelling would be reduced to 13m from the fallback which is 15m. The development is considered appropriate within the semi-rural setting and would sit comfortably within the application site.

With regards to design, the appearance of the existing bungalow to be removed is not considered to be of any architectural value. It is of poor quality, with a shallow roof and brown exterior. The design of the

proposed dwelling would comprise a traditional style two-storey dwelling, with dormer elements and gable ends. The proposed materials are considered to be appropriate for this setting.

For these reasons, the proposed development is considered to relate sympathetically to the rural character of the site and wider surroundings, and is considered to incorporate a design and features that would reflect the local character. The proposal is therefore considered to accord with the above policies.

Amenity Impacts:

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

There is an established dwelling at the site which operates without harm to adjoining neighbours. The dwelling is currently positioned 93 metres away from the residential dwelling at Roma Farm, and the proposed dwelling would be located further south which would increase the distance between properties. There is also significant screening along the western boundary with Wineham Lane, which would screen the dwelling in views from the road. It is noted that there have been no representation letters received.

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

Highways Impacts:

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

An application for a new vehicular access onto Wineham Lane was permitted in 2023 – ref: DC/22/1353. This access would provide access to the dwelling from the road without having to access through Roma Farm. The application proposes four car parking spaces for the development on the driveway and proposed a double-bay garage. There is considered to be sufficient space on the driveway to accommodate the four parking spaces and on-site turning appears achievable. The WSCC Parking Demand calculator requires a minimum of 2.7 parking spaces for dwelling with 4+ bedrooms. It is considered that the dwelling could satisfy this level of parking provision on site. WSCC Highways were satisfied that the proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. The application is considered acceptable in accordance with the above policies.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

The proposal seeks consent for a replacement 4-bedroom dwelling and garage. The existing unit can be used for the baseline water as consumption as the use has been regularised through planning application DC/20/1837. The dwelling is currently unoccupied, but tenants have lived there within the past 3 years. A Part G calculator has been provided, based upon a survey of the existing fixtures and fittings, to demonstrate the existing baseline, this is calculated as 147.6 l/p/d, or 365 l/d (147.6 x 2.47).

The proposed dwelling would have an occupancy rate of 2.86. A Part G BREEAM calculator has been provided, which demonstrates that the overall water consumption would be 91 litres per person or 260 l/day (91 x 2.86). The proposed dwelling would therefore comply with the Part G Building Regulations

Optional Standard 110 l/p/d (by way of planning condition). Therefore, on the basis that the proposed replacement dwelling would consume less water than the existing by being policy compliant, Officers are satisfied that the development would not result in an increase in water consumption and is therefore considered water neutral.

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 186 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Other Matters:

Southern Water were consulted, noting that should any sewer be found during construction works, that an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

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. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

- 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.

Conclusions:

The principle of an enlarged dwelling has already been established through the approved prior approval for an additional storey, single storey extension and detached garage. The application represents an appropriately sized replacement dwelling for the curtilage that has a GIA slightly smaller than the fallback. The design is a visual improvement from the existing and is sympathetic to the surrounding development. The benefits of the scheme are considered to outweigh any potential harm and therefore, the proposal is considered acceptable under Policies 28, 32 and 33.

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.

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	230.78		230.78
		Total Gain	
		Total Demolition	

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of 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-Occupation Condition**: No part of the development hereby permitted shall be occupied until the car parking spaces (including garage) necessary to serve it have been constructed and made available for use in accordance with approved plan reference 2401/01. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

4 **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 approved plan reference 2401/01. 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).

5 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. 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).

6 **Pre-Occupation Condition**: No part of the development 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 necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: The garage hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the residential property at Roma Farm Cottage, Wineham Lane, Wineham, BN5 9AG (as identified on the approved plans) and shall not be used as a separate unit of accommodation, as habitable living accommodation, for any commercial purposes or for any other purpose(s)/use(s).

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

9 **Regulatory Condition**: The dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day.

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).

10 **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).

11 **Post-Occupation Condition**: Upon the occupation of the building hereby permitted the existing building shown dashed on plan reference 2401/01 shall cease to be used for any purpose whatsoever and within a period of 1 month thereafter such existing building shall be demolished (including the removal of foundations) all materials arising from such demolition removed from the site and the site of the demolished building restored in accordance with details of landscaping which have been submitted to and approved in writing by the Local Planning Authority prior to demolition works commencing.

Reason: The retention of existing buildings together with the new buildings would result in the proliferation of buildings on the site, detracting from the character of the area which would be contrary to 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.

Plans list for: DC/24/0415
(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
Supporting Statement	Baseline Flow Assessment by H2)geo dated 17.05.2024	20240507P1	21.05.2024
Location & Block plan	Site and Location Plans	2401/01	15.03.2024
Floor plan	Plans as Proposed	2401/02	15.03.2024

Elevation plan	Elevations as Proposed	2401/03	15.03.2024
Elevation & Floor plan	Garage Plan Elevations	2401/04	15.03.2024
Elevation plan	East	2305RM_R0_103a	15.03.2024
Elevation plan	North	2305RM_R0_104a	15.03.2024
Elevation plan	West	22305RM_R0_105a	15.03.2024
Elevation plan	South	2305RM_R0_102a	15.03.2024
Floor plan	Ground Floor Plan	2305RM_R0_1001a	15.03.2024
Floor plan	First Floor Plan	2305RM_R0_101a	15.03.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 22.05.2024

Authorising Officer sign/initial Tamara Dale Date: 24.05.2024