Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1778
Oakfield, Cox Green, Rudgwick, West Sussex, RH12 3DD

DESCRIPTION:
Variation of condition 13 of previously approved application DC/24/0625 (Variation of condition 1 of previously approved application DC/23/0340 to allow for: front and rear skylight changed to dormer windows; amendments to driveway entrance; addition of timber pergola, 2 no. external outbuildings, open lean to, relocation of consented back door to side of house and minor fenestration alterations) to alter the proposed materials

RELEVANT PLANNING HISTORY:

DC/21/2211	Demolition of existing dwelling and garage and erection of a replacement detached dwelling with new vehicular access, attached garage and associated car parking.	Application Permitted on 18.03.2022
DC/23/0340	Variation of Condition 3 of previously approved application DC/21/2211 (Demolition of existing dwelling and garage and erection of a replacement detached dwelling with new vehicular access, attached garage and associated car parking) to allow for amendment to the wording of the condition relating to the Bat Licence from pre-commencement to pre-demolition.	Application Permitted on 21.04.2023
DISC/23/0053	Approval of details reserved by condition 5 to approved application DC/21/2211.	Application Permitted on 06.04.2023
DISC/24/0082	Application for Approval of Details Reserved by Condition 4 to approved application DC/23/0340	Application Permitted on 14.06.2024
DC/24/0625	Variation of condition 1 of previously approved application DC/23/0340 to allow for: front and rear skylight changed to dormer windows; amendments to driveway entrance; addition of timber pergola, 2 no. external outbuildings, open lean to, relocation of consented back door to side of house and minor fenestration alterations.	Application Permitted on 19.07.2024

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 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

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 9: Water Neutrality
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 24: Sustainable Transport
Policy 25: Parking
Policy 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

Rudgwick Neighbourhood Plan
RNP2: Housing Mix
RNP5: Housing Density
RNP17: Green Infrastructure and Trees

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:
Natural England: Standing Advice:-

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

Parish Comments:
No Objection

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 site is located to the north side of the B2128 highway within the built-up area of Rudgwick. Land to the west side of Oakfield was granted planning permission for infill development (ref. DC/20/1689) to erect a double storey detached dwelling and garage on existing garden land.

With specific reference to Oakfield, planning permission was granted in March 2022 for the demolition of the existing dwelling house and garage, and erection of a replacement detached dwelling with new vehicular access, attached garage and associated parking (ref: DC/21/2211). Permission was also granted in April 2023 (ref. DC/23/0340) for Variation of Condition 3 of previously approved application DC/21/2211 to allow for amendment to the wording of the condition relating to the Bat Licence from pre-commencement to pre-demolition.

This application seeks permission for the alteration of the external materials approved in relation to planning permission DC/23/0340, and the subsequent discharge of condition 4 under ref. DISC/24/0082 in relation to a schedule of materials and finishes and colours to be used for external walls, windows and roofs, and also a subsequent minor material amendment for various changes to the dwelling under ref: DC/24/0625.

This application includes an amended schedule of materials, finishes and colours (and elevation plan ref. 2.03B with club tile detail added) which incorporates decorative club tile bands to the external elevations of the approved new build replacement house at Oakfield, Cox Green, Rudgwick. The amendments also include changes to the style of tile hanging to the south, east and northern elevations of the dwelling.

Character and Appearance

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 revised materials are considered to be in keeping with the originally approved design approach and would be sufficiently reflective of the materials palette which is already present within the immediate locality. 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 revisions and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Water Neutrality

There is no clear or compelling evidence to suggest the nature and scale of the proposed development 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.

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 **Pre-Demolition Condition**: No demolition works shall 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 method statement relating to a registered site supplied by an individual registered to use a Bat Mitigation Class Licence for Bats; or
c) 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 and Priority species and allow the Local Planning Authority to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998 and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

3 **Pre-Occupation Condition**: The dwelling hereby permitted shall not be occupied until the Biodiversity Enhancement Strategy for Protected and Priority species has been carried out in accordance with the details approved under application ref: DISC/23/0053 on 06.04.2023, unless details of an alternative Strategy have otherwise been approved in writing by the Local Planning Authority. The works shall be retained in that manner thereafter.

Reason: To safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

4 **Pre-Occupation Condition**: Prior to the first occupation of any part of the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The details shall include details 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/residential curtilage treatments
- Existing and proposed lands levels
- Ecological and Biodiversity Enhancements

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).

5 **Pre-Occupation Condition**: No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled Site Plan and numbered 2.02 (received 02.07.2024).

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

6 **Pre-Occupation Condition**: No part of the development shall be first occupied until visibility splays of 2.4 x 54 metres northeast and 2.4 x 52 metres southwest have been provided at the proposed site vehicular access onto Cox Green in accordance with the approved planning drawings (Site Plan Numbered 2.02, received 02.07.2024). Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved site plan.

Reason: To ensure safe access onto the highway in accordance with Policy 40 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition**: No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan 2.02 (received 02.07.2024). These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car parking for the use in accordance with Policy 41 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition**: No part of the development hereby permitted shall occupied until 1no electrical vehicle charging point per dwelling has been provided on site. The charging points shall be installed prior to first occupation of the development and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

9 **Pre-occupation Condition**: No part of the development shall be first occupied unless and until covered and secure cycle parking spaces have been provided to serve the dwellings. The facilities shall thereafter be retained for use at all times.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and in accordance with Policy 40 and 41 of the Horsham District Planning Framework (2015).

10 **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 (or use) in accordance with drawing number 2.03 (received 30.04.2024). 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).

11 **Pre-Occupation Condition**: The development hereby permitted shall not be occupied until the first floor side windows on Plan 2.03 (received 30.04.2024) have been fitted with obscured glazing. No part of that/those window(s) that are/is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

12 **Pre-Occupation Condition**: Prior to the first occupation of the dwelling, 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 shall be 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).

13 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application particulars, including the application form and approved plans, unless otherwise agreed to and approved in writing by the Local Planning Authority.

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).

14 **Regulatory Condition**: All mitigation and enhancement measures and works shall be carried out in accordance with the details contained in the 'Preliminary Ecological Appraisal Updated' report (The Ecology Co-op, August 2021) and the 'Bat Survey Report Update' (The Ecology Co-op, August 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

15 **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).

16 **Regulatory Condition**: All works shall be executed in full accordance with the submitted Arboricultural Reports TCP02 dated 10.7.2021 & TPP04 dated 21.06.2024, prepared by Treeline Services Ltd. (Received 24.09.2021 and 21.06.2024 respectively).

- Any excavations within the RPA should be undertaken carefully, using hand-held tools.
- If any roots are exposed during the work, they should immediately be wrapped or covered to prevent desiccation and protect them from rapid temperature changes. Any wrapping should be removed before backfilling, which should take place as soon as possible.

- Before backfilling, any retained roots should be surrounded with topsoil or uncompacted sharp sand (builders' sand should not be used because of its high salt content, which is toxic to tree roots), or other loose inert granular fill, before the soil or another suitable material is replaced. This material should be free of contaminants and other foreign objects potentially injurious to tree roots.

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

17 **Regulatory Condition**: The means of foul and surface water drainage shall be executed as per the drainage statement submitted 24.09.2021.

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).

18 **Regulatory Condition**: No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

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

19 **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) as amended, no development falling within Classes A, AA, B, C, or E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage 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 the nature of the development and constraints of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

20 **Regulatory Condition**: No works for the implementation of the development hereby approved shall take place outside of 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of neighbouring properties along Hermongers Lane in accordance with Policy 33 of the Horsham District Planning Framework (2015).

21 **Post-Occupation Condition**: Upon the first occupation of the dwelling hereby permitted, the existing dwelling indicated on drawing no. 2.03 (received 30.04.2024) shall cease to be used for any purpose whatsoever and within a period of 3 months thereafter such existing building shall be demolished (including the removal of foundations). All materials arising from such demolition shall be removed from the site.

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).

22 **Regulatory Condition**: The outbuildings hereby permitted (shown on plan 2.02 received on 30.04.2024) shall be occupied solely for purposes incidental to the occupation and enjoyment of

the main dwelling and shall not be used as a separate unit of accommodation, or commercial purposes.

Reason: The establishment of an additional independent unit of accommodation or commercial use would give rise to an over-intensive use of the site and/or lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 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/24/1778

(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
Elevation & Floor plan		2.03 B	18.11.2024
Elevation plan	Proposed	P450	18.11.2024
Supporting Statement	Planning	NONE	25.11.2024

DELEGATED

Authorising Officer sign/initial Guy Everest Date: 02.05.2025