Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1986
Bucks Cottage, Tismans Common, Rudgwick, West Sussex, RH12 3BJ

DESCRIPTION:
Removal of existing dilapidated wire fencing and erection of matching post and wire fencing (Householder)

RELEVANT PLANNING HISTORY:

DC/24/1987	Removal of existing dilapidated wire fencing and erection of matching post and wire fencing (Listed Building Consent).	Pending Consideration

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 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets

Rudgwick Neighbourhood Plan (RNP):
RNP6 – Materials
RNP9 – Street Scene
RNP17 – Green Infrastructure & Trees

Rudgwick Parish Design Statement

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment

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.

HDC Conservation: (*Initial Comments – 08.01.2025*) No Objection. The proposal is agreeable and not an unexpected boundary treatment in this location. The plans do not indicate whether the intention is to retain the natural boundary, and as there will be some potential for the wall to be a conspicuous feature in the streetscape and at the determinantal to the rural character of the lane, conditions are recommended.

(Further Comments – 08.07.2025) No objection.

HDC Landscape: (*Initial Comments – 10.02.2025*) The proposed wall is acceptable if existing vegetation along Hornshill Lane, vital to local character, is preserved. While retention is noted in the heritage statement, the wall's impact is unclear. An Arboricultural impact assessment is needed to show RPAs, hedgerow locations, and recommend actions if impacts are found.

(Further Comments – 03.04.2025) The Toby Trees report helps clarify the works needed to deliver the proposals and confirms that a large amount of vegetation clearance is required to facilitate development or due to poor condition. However, it lacks a plan showing which trees will be removed or retained, and their RPAs, making it difficult to assess the wall's impact on local character and visual amenity. Proposed planting details, amount, size, and location, are also missing, so mitigation cannot be properly evaluated.

HDC Arboricultural Officer: (*Initial Comments – 14.02.2025*) A recent site visit and discussions with the applicant confirm that significant roadside vegetation and trees would need to be removed to build the proposed wall. Some standing dead trees in the area will need removal regardless of the application's outcome. However, more information is required to fairly assess the tree-related and landscape impacts of the proposal.

(Further Comments – 08.04.2025) The key concern is how the proposed wall will be built behind a prominent roadside oak tree. Using a standard trench footing would severely damage the roots, likely leading to the tree's loss. A bridging method (e.g., using a concrete lintel) is suggested to avoid this.

To properly assess tree impacts - including removals, retention, and protection measures - a BS 5837-compliant Tree Survey and Arboricultural Impact Assessment is required, prepared by a qualified arborist.

Current submissions do not clearly show which trees are to be removed or retained, nor do they include RPAs. There's also no clear plan for protecting the oak's roots. Without a detailed construction method within the RPA, the proposal risks harming the oak and compromising its long-term survival.

Parish Comments:
No Objection, supports the view of HDC's Conservation Officer, in that conditions should be attached to an approval to protect the streetscape and rural character of the area.

Representations:
One representation received raising no objections, agreeing with HDC's Conservation Officer that conditions should be attached to an approval to protect the rural street scene.

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 relates to the Grade II Listed building, Bucks Cottage, which is listed for its special architectural interest. The property is situated outside the built-up area boundary and therefore within a countryside location.

The application originally sought permission for alterations to the western boundary, replacing the existing wire fencing with a new boundary wall. Following advice from HDC's Landscape and Arboricultural Officers, the applicant commissioned an Arboricultural report relating to how the proposals would impact the existing vegetation and Oak Tree, which is located outside the property's boundary. Following discussions between the applicant, their building contractor and their Arboricultural consultant, it was determined that a wall could not be constructed without impacting the roots of the Oak Tree and removal of vegetation on the boundary. Following this advice, amended plans were received omitting a replacement boundary wall and seeking permission instead for removal of the existing dilapidated wire fencing and for the erection of matching post and wire fencing.

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.

Policy 34 of the Horsham Development Framework aims to sustain and enhance the historic environment through positive management of development affecting heritage assets. By preserving development and ensuring clear legibility of locally distinctive vernacular building forms and their settings, features, fabric, and materials.

Policy 7 of the RNP seeks to ensure that new development proposals be designed with reference to the surrounding architecture, paying close attention to local vernacular features and characteristic details. Policy 9 of the RNP states that residential developments should include traditional boundary features appropriate to the site, such as a low native hedge, a low brick wall, a palisade wooden fence, or a Sussex-style oak cleft and rail.

The revisions to the scheme, to replace the previously proposed wall with a fence, has resolved concerns relating to the impact on existing important planting, and there are no concerns in this regard. The land levels on this western boundary differ, but at its highest point, the fence would be approximately 1.8 metres in height from ground level. The support statement, namely, the revised 'Heritage Statement', details that the existing fence has become dilapidated, witnessed by the officer during a site visit, and with a need to provide security, the proposals seek to remove this fence and erect a new fence, matching the existing. The revised 'Heritage Statement' and 'Proposed Site Plan' demonstrate that the fence will be entirely concealed by the existing planting from the roadside and within the site itself, which this not having to be removed to facilitate the development, and the proposal will not therefore adversely impact upon the street scene.

It is considered that the siting, style and materials of the fence will not harm the setting of the listed building, and will have a neutral impact, which does not harm the character or appearance of the wider area. 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.

The proposals seek to replace the existing fence with one to largely match. It is considered that the height and siting of the existing fencing, 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.

Biodiversity Net Gain

In accordance with the Biodiversity Gain Requirements (Exemptions) Regulations 2024, all householder applications are current exempt from the statutory requirement to demonstrate a 10% net gain in biodiversity.

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

Plans list for: DC/24/1986
(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 & Block plan	Location & Block Plan	1.01	23.12.2024
Site plan	Proposed Site Plan	2.02 A	20.06.2025
Elevation plan	Existing and Proposed Elevations	2.03	20.06.2025
Site plan	Existing Site Plan	2.01 A	14.02.2025
Supporting Statement	Heritage Statement	REV A	27.06.2025

DELEGATED

Case Officer sign/initial Sam Nye Date: 14/07/2025

Authorising Officer sign/initial Guy Everest Date: 14.07.2025