Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0408
Stonehouse Farm, Handcross Road, Plummers Plain, West Sussex, RH13 6NZ

DESCRIPTION:
Extension of residential curtilage and creation of new vehicular access

RELEVANT PLANNING HISTORY:

LB/17/85	2 storey extension to dwelling (nb includes agricultural occupancy condition on whole dwelling) (From old Planning History)	Application Permitted on 17.04.1985.
LB/19/02	Removal of agricultural occupancy restriction (lb/17/85) Site: Stonehouse Farmhouse Handcross Road Plummers Plain	Application Permitted on 02.07.2002.

SITE AND SURROUNDS

The application site comprises a single dwelling with associated out buildings within the curtilage of the dwelling. The site lies outside any defined settlement and is located in the countryside between Mannings Heath and Handcross. The dwelling sits within a valley, with Hammerpond Road to the north and Handross Road to the South.

The wider area comprises a matrix of fields and with mature tree field boundaries. Within the wider Stonehouse Farm complex (but outside of the application site boundaries) there is a complex of farm buildings currently in use for purposes other than agricultural use.

A public footpath (ROW 1708) crosses between Handcross Road and Hammerpond Road and passes the front (eastern boundary) of the application site.

To the south of the site is the High Weald Area of Outstanding Natural Beauty (AONB).

DETAILED DESCRIPTION

The application seeks planning permission for the extension of the residential curtilage of the existing garden and paddock area at Stonehouse Farm through its extension to the west of the original curtilage by approximately 33 metres, thereby creating an additional 0.16 hectares of residential curtilage.

The application proposals include the provision of a new access onto the B2210 Handcross Road, northwest of Plummers Plain along with a new driveway and parking area for two cars. This would provide independent access to the existing dwelling, owned by the applicant.

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 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
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.

Supplementary Planning Guidance:

Neighbourhood Plan: Lower Beeding 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 HDC Planning Advice Note: Lower Beeding Neighbourhood Plan and Water Neutrality June 2023 is relevant.

Parish Design Statement:

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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:
INTERNAL CONSULTATIONS

Trees: No Objection

OUTSIDE AGENCIES

WSCC Highways: No Objection (subject to conditions)

Ecology Consultant: No Objection (subject to conditions)

NatureSpace: Comment:

The proposed development is not considered to be relevant to the District Licensing Scheme in this case and we consider there would be no likely impact on great crested newts or their habitats.

Parish Comments: Comment

The Lower Beeding Parish Council had no objection to this application and have received no adverse comments from neighbours of Stonehouse Farm.

The LBPC voted unanimously to remain neutral on the application.

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

The main considerations material to this application relate to:
- The principle of development
- Amenity Impacts
- Highway and Pedestrian Safety Impacts
- Ecology and Biodiversity matters

Principle of Development:

Policy 26 'Countryside Protection' protects the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. These criteria include supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas.

The planning unit (Stonehouse Farm dwelling) is a single private dwellinghouse associated with the wider Stonehouse Farm complex. Notwithstanding this, the whole of the land occupied with the house, and the lawful use of the whole of that planning unit falls within Use Class C3 in the Use Classes Order (namely use as a single private dwellinghouse). The existing domestic curtilage associated with Stonehouse Farm dwelling comprises the cultivated garden area associated with the dwelling, whilst the 'planning unit' itself comprises the whole of the land occupied with the house, which includes the paddock area.

This application seeks to extend the existing residential curtilage of Stonehouse Farm (dwelling) and incorporate the existing paddock area located between the adjacent dwelling know as 'Meadowcroft' (to the west) and the wider Stonehouse Farm complex (to the east). The extended residential curtilage would follow the residential curtilage (east boundary) at 'Meadowcroft,' along the west boundary of the application site. The resulting residential curtilage of the application site would be similar in terms of its size and scale to that of 'Meadowcroft'.

The revised residential curtilage would run from the west boundary of the application site eastwards towards the agricultural building just north of the Stonehouse Farm dwelling which is located within the wider Stonehouse Farm complex, essentially incorporating and enclosing the land between the neighbouring dwelling 'Meadowcroft' and the west boundary of the wider Stonehouse Farm complex (as demonstrated in Figure 1 of the Planning Statement which shows both the existing and proposed residential curtilage). The extended residential curtilage to the existing garden and paddock area would be used in association with the existing Stonehouse Farm dwelling. It is considered that the proposed residential curtilage is of an appropriate size for this detached property in a countryside location and similar in size to that of the neighbouring dwelling.

It is not considered that the proposal would result in a significant increase in the overall level of activity in the countryside and that there would be no adverse impact in terms of character and appearance of the countryside or the immediate setting. The extension of the residential curtilage to Stonehouse Farm (dwelling) would be viewed within the wider context of the neighbouring built form. Essentially it is considered that there would be benefits arising from the proposed extension of residential curtilage at Stonehouse Farm (dwelling) as this would provide some separation between it and the wider Stonehouse Farm activities which occur to the east of the application site. It is not anticipated that the change of use to residential amenity space would result in harm given this context. The proposal is therefore considered acceptable in principle, subject to all other material considerations.

The proposed residential curtilage extension would be enclosed by 1.2m post and rail fencing with stock mesh and native hedgerow planting to the north and would retain the existing established tree boundary to the west, respecting the countryside setting. The creation of a new independent access and driveway to serve the Stonehouse Farm dwelling would essentially separate the residential unit from the wider agricultural / commercial operations at Stonehouse Farm complex. The proposed extension of the residential curtilage to the existing garden and paddock area at Stonehouse Farm dwelling is considered to be acceptable.

The proposals whilst not strictly in accordance with the four criteria relating to Policy 26 of the HDPF 2015, are broadly considered acceptable in that it allows the subdivision of the Stonehouse Farmhouse from the wider Stonehouse Farm complex and separates the business enterprise from the residential dwelling previously associated from the wider site.

Design and Appearance:

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves, and enhances the landscape and townscape character from inappropriate development.

Policy 32 states that a 'high quality and inclusive design for all development in the district will be required based on a clear understanding of the local, physical, social, economic, environmental and policy context for development. In particular, development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment [point 1 refers].

Policy 33 states that development should ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

The proposed change of use of the land is well related to the existing residential planning unit and to the adjoining residential unit (Meadowcroft) to the west of the application site. It is not considered that the change of use of land (as identified) to ancillary residential use would result in any appreciable or significant harm to the landscape character or visual amenity of the area.

No additional buildings are proposed as part of the proposals, however a new access and driveway with parking for two cars is also proposed. It is not considered that an additional for the proposed access or the appearance of the proposed driveway would result in any visual harm or any increase in activity within the countryside; it would merely provide a safe functional independent access and off-street parking provision for the existing dwelling.

For these reasons, the proposed development is not considered to result in harm to the landscape character and visual amenities of the area, in accordance with Policies 25, 32 and 33 of the Horsham District Planning Framework (2015).

The proposals are considered to accord with Policies 25, 32 and 33 of the HDPF 2015.

Trees and Landscaping:

Policy 25 of the HDPF - 'The Natural Environment and Landscape Character' sets out that proposals will be required to protect, conserve, and enhance the landscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation. Policy 32 of the HDPF 'The Quality of New Development' sets out a desire for "high quality and inclusive design for all development in the district". It also states that designs development should be based on a clear understanding of the local, physical, social, economic, environmental and policy context for development and should [among others] complement locally distinctive character and heritage of the district.

Policy 31 of the HDPF states that 'development will be supported where it can demonstrate that it maintains or enhances the existing network of green infrastructure. Proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss and ensures that the ecosystem services of the area are retained'.

The Council's Tree Officer has been consulted and has advised that '*the proposed access requires loss of a commensurate section of bounding hedgerow and early /semi mature trees within it. I have no concerns in respect of direct impacts on any trees of individual wider landscape significance'.*

Mitigation proposals include the planting of indigenous species to bulk up the hedgerow and conserve the roadside character and can be achieved by imposition of a suitable condition.

The proposals are considered to accord with Policy 33 of the HDPF 2015.

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.

The development would be used for incidental purposes in association with the existing residential dwelling Stonehouse Farm and will be domestic in nature. It is not considered that the proposal would result in any further noise and disturbance than would be expected within a rural residential and farming environment. It is not therefore considered that the proposal would result in harm to the amenities of neighbouring properties through noise and disturbance.

The proposal is not considered to result in any appreciable or significant harm to the amenities or sensitivities of neighbouring properties and is therefore considered to be in accordance with Policies 32 and 33 of the HDPF.

Highways Impacts:

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

The Applicants have submitted a Transport Statement along with drawing 'ITS19302-003 revision E' which provides an outline design of the proposed access arrangement. The extent of public highway is also shown on the drawing, based on information provided by WSCC.

The Applicants advise that 'Automatic Traffic Count (ATC) surveys were undertaken for one week in December 2023 to the east and west of the proposed access and that 'following the preparation of the Road Safety Audit, the proposed access was shifted slightly to the east (as shown on drawing ITS19302-003-GA-E in the Transport Statement) to reduce impact on existing trees. The Auditor reviewed and commented that there are no issues identified with this revision' and advised that 'the proposed access will not result in any additional traffic impact. The existing dwelling will use the new access instead of the existing one shared with industrial/warehousing/farm uses.

The applicant proposes a new 3.7m wide vehicular access point on Handcross Road to serve the existing dwelling. There is an existing access currently shared between this dwelling and wider industrial/agricultural uses at this site. The proposed access will be used only by the existing dwelling.

The proposed driveway access provides for a dwelling that generates light traffic where it would be unlikely to experience passing traffic. The revised access leads to an extended parking area for two cars and incorporates an area for vehicle turning, allowing both access and egress onto the highway in forward gear. Access would be from Handcross Road, a B-classified road with a speed restriction of 50 mph at this point. WSCC Highways advise that '*the proposed parking spaces appear suitably sized and on-site turning appears achievable'.*

WSCC advise that '*the seven-day ATC survey was undertaken to ascertain the 85th percentile speeds in this location. The survey found 85th percentile speeds to be 44.7 mph eastbound and 47.5 mph westbound. As the 85th percentile speeds are higher than 64 kph, this would therefore require visibility splays of 2.4m x 121m to the west and 2.4m x 134m to the east be demonstrated, as per Design Manual for Roads and Bridges (DMRB) Stopping Sight Distance (SSD) parameters.'*

They advise that the required visibility splays look to be achievable within the maintained highway boundary. Therefore, the LHA would request that visibility be provided in accordance with the above parameters, and that this can be secured by condition.

Road Safety Audit

WSCC Highways advise that '*A Stage 1 Road Safety Audit (RSA) has been undertaken in accordance with GG119 principles. The RSA found one problem, that being the existing dilapidated sign which could obscure visibility. The recommendation is to provide new signage at a new height to avoid obstruction of the visibility splay. Details of this will be agreed at Detailed Design Stage, although the LHA advise that this will need to be in consultation with the WSCC local Highway Area Office to discuss and agree upon the works within the highway.'*

WSCC Highways have confirmed that subject to the imposition of conditions they raise no highway safety concerns for this application. The access works proposed will be subject to a licence obtained through the local Highway Area Office.

The proposals accord with Policy 40 and 41 of the HDPF 2015 and the NPPF (paragraph 115).

Ecology:

Policy 31 of the HDPF states that development will be supported where it can demonstrate that it maintains or enhances the existing network of green infrastructure. Proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss and ensures that the ecosystem services of the area are retained.

The Applicants have submitted an Ecology Briefing Note and Preliminary Arboricultural Appraisal prepared by CSA to inform proposals for a new access to the existing dwelling. It is advised that the Site was visited on 18 December 2023 by Clare Caudwell Cecol MCIEEM and Lydia Galbraith ACIEEM, encompassing the Site and immediately adjacent habitats that could be viewed. A Habitats Plan (CSA/6746/108) of the area surveyed has been appended to the Ecology Note.

The Council's Ecology Consultants have reviewed the Ecological Briefing Note (CSA Environmental, March 2024) supplied by the applicant, relating to the likely impacts of development on protected & Priority species and habitats, and identification of proportionate mitigation.

They advise that the Ecological Briefing Note (CSA Environmental, March 2024) confirms that *'the farmhouse and outbuilding will not be impacted by the works and that the trees on the road boundary (H19) have negligible bat roost potential*.'. It is therefore confirmed that '*no further surveys for bats are required unless the plans change so that additional trees will be removed, or the works are delayed for more than 12 months (Ecological Briefing Note (CSA Environmental, March 2024)).'*

The Council's Ecologist also notes that '*the treeline H19 provides sub-optimal habitat for Hazel Dormouse (Ecological Briefing Note (CSA Environmental, March 2024)) and therefore agree that no further surveys for this species are required'* and that '*as there is suitable commuting habitat for reptiles at the base of the hedgerow/treeline, we support the Precautionary Method Statement for reptiles in Section 7.0 Table 2 of the Ecological Briefing Note (CSA Environmental, March 2024))'.* This should be secured by a condition of any consent.

It is advised that the proposed reasonable biodiversity enhancements proposals include:

- Improved connectivity of green infrastructure through the enhancement of exiting hedgerow / treeline habitat through infill planting. Consider scope for creation of new habitat resources through new hedgerow planting (e.g., along the northern boundary of the Site. Select native species, of local provenance whether possible.
- Incorporation of native plants and those of wildlife importance into any new landscaping proposed, to provide foraging opportunities for birds, invertebrates, and bats.
- Consider the provision of new bat roosting and bird nesting opportunities (e.g., boxes) on retained mature trees.
- Use felled trees / shrubs to create log piles / hibernacula features which could provide re

The Council's Ecology Consultants advise that the Biodiversity Enhancements are considered to accord with the requirements of Paragraph 180[d] of the National Planning Policy Framework (December 2023). These enhancement measures should be outlined within a Biodiversity Enhancement Layout and secured by a condition of any consent for discharge prior to slab level.

Subject to the imposition of appropriate conditions the proposals are considered to be acceptable and in terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

The Council's Ecology Consultants are satisfied that there is sufficient ecological information available in order to determine this application and have consifrned that they have no objections on ecological matters (excluding Great Crested Newt - European Protected Species) which is to be assessed by the NatureSpace Partnership.

It is advised that this provides certainty for the LPA of the likely impacts on protected and priority species and, with appropriate mitigation measures secured, the development can be made acceptable and enables the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended).

The mitigation measures identified in the Ecological Briefing Note (CSA Environmental, March 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and priority species.

The proposals are considered to accord with Policy 25 of the HDPF 2015.

Water Neutrality

On 14 September 2021, the Council received a Position Statement from Natural England. Information collected by Natural England shows that water abstraction for drinking water supplies is having a negative impact on the wildlife sites in the Arun Valley. They have advised that any new development that takes place must not add to this negative impact. One way of preventing any further negative impact is to ensure that all new development which takes place is water neutral.

The application was not accompanied by a Water Neutrality Statement. The proposals would not result in any water demands arising from it as such the Council as Competent Authority under its duties imposed by the Habitat Regulations has therefore 'screened it out' for water neutrality purposes.

There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive use of the site 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.

Conclusions:
The proposed revised access and the extension of the residential curtilage are considered acceptable within the wider context of the Stonehouse Farm site. The proposals accord with Policies 26, 25, 31, 33 and 40 of the HDPF 2021.

Recommendation:

Conditions:

1 Plans list

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 Condition**: No development shall commence until a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Ecological Briefing Note (CSA Environmental, March 2024), has been submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter."

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).

4 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Briefing Note (CSA Environmental, March 2024), as already submitted with the planning application, and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for reptiles in Section 7.0 Table 2 of the Ecological Briefing Note (CSA Environmental, March 2024)) which avoids impacts on protected species.

This will include the appointment of an appropriately competent person e.g., an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

Reason: To conserve and enhance protected and Priority 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 s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

5 **Regulatory Condition**: No construction of the access hereby permitted shall take place until the following plans and details have been submitted to and approved by the Local Planning Authority in writing:

i. The location and size of the proposed vehicular access, including surfacing details.
ii. Details of the visibility splays (2.4 metres by 121 metres to the west and 2.4 metres by 134 metres to the east) for the proposed access serving the development. Once provided the splays shall thereafter be provided prior to first use of the access and 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.
iii. Details of all existing trees and planting to be removed and retained alongside the proposed access, including details of all new replacement planting.

The proposed access shall be constructed in accordance with the approved details.
The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first use of the access. 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 access. Any proposed or retained 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: In the interests of road safety and 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 Policies 33 and 40 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

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/24/0408
(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 & Site plan	As existing	2024/PL6 REV B	14.03.2024
Location & Site plan	As proposed	2024/PL7 REV B	14.03.2024
Supporting Statement	Ecological Briefing Note	NONE	14.03.2024
Supporting Statement	Preliminary Arboricultural Appraisal	NONE	14.03.2024
Supporting Statement	Planning	NONE	14.03.2024
Supporting Statement	Transport	NONE	14.03.2024

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date

DELEGATED

Case Officer sign/initial Amanda Wilkes Date: 09/05/2024

Authorising Officer sign/initial Adrian Smith Date: 09/05/2024