Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0790
Medlars, Swallows Lane, Dial Post, West Sussex, RH13 8NN

DESCRIPTION:
Erection of fence (Retrospective). Erection of a Garden Room and a Tractor shed. Refurbishment of existing annex to include new roof structure and covering and new external timber cladding and internal alterations. (Householder)

RELEVANT PLANNING HISTORY:

DC/23/2320	Part demolition of existing building and erection of two storey side and single storey rear extensions. Replacement of existing flat roof with pitched roof, removal of existing dormer window, and installation of 1no rooflight. Re roofing of side porch and installation of new and replacement windows. (Householder Application)	Application 10.04.2024	Permitted on
DC/23/2321	Part demolition of existing building and erection of two storey side and single storey rear extensions. Replacement of existing flat roof with pitched roof, removal of existing dormer window, and installation of 1no rooflight. Re roofing of side porch and installation of new and replacement windows. (Listed Building Consent)	Application 10.04.2024	Permitted on

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 25- Strategic Policy: The Natural Environment and Landscape Character
Policy 26- Strategic Policy: Countryside Protection
Policy 28- Replacement Dwellings and House Extensions in the Countryside
Policy 31- Green Infrastructure and Biodiversity
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles
Policy 34- Cultural and Heritage Assets

West Grinstead Neighbourhood Plan (2019-2031)

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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: No objection, condition recommended.

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

Character and Appearance

Paragraph 205 of the NPPF states that "when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)." Paragraph 206 continues to state that "any harm to, or loss of, the significance of a designated heritage asset (from its alterations or destruction, or for of development within its setting), should require clear and convincing justification."

Policy 32 and 33 of the HDPF seeks 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 District Planning Framework states, inter alia, that the council will sustain and enhance its historic environment through positive management of development affecting heritage assets. Development will not be permitted which would have an adverse impact on the setting or special architectural character or appearance of a listed building.

The fencing has been installed primarily to the frontage of the site. While the fencing has an overtly suburban character it is considered that the site and wider surroundings are not so sensitive to change that the metal fence could not be successfully added to the street scene. The boundary treatment is considered in this instance to be appropriate and has had no adverse impacts on the setting of the listed building or the character or appearance of the wider area.

The proposed tractor shed would be located to the north-eastern boundary of the site, with the proposed garden room being located to the south of the site. It is considered that taking into account

the proposed siting, which ensure no intervisibility with the listed building, the proposed scale and design would not be incongruous, with the buildings therefore appropriate in the setting of the listed building. The wider visual impact would be limited, with the character and appearance of the wider surrounding area preserved.

The proposed works also entail the refurbishment of an existing building which provides an annexe, with these works including a new roof structure, external cladding and insulation. The scale, form and design would remain in the manner of an ancillary outbuilding sited amongst the existing cluster of development in close proximity to the main dwelling. It is considered the works would have a neutral impact on the setting of the listed building, with no adverse impacts identified, and the character and appearance of the wider surrounding area would be preserved.

The existing building provides a one-bedroom annexe which the above refurbishment works would retain. The proposed works would not materially alter the scale or nature of the accommodation and the submitted plans do not indicate any subdivision of the plot or provision of independent parking / amenity spaces. It is not therefore considered that, as a matter of course, the current proposal would facilitate the formation of an independent planning unit on the site. For the avoidance of doubt a condition is recommended to ensure the annexe remains ancillary to the enjoyment of Medlars.

For the reasons outlined, the proposed works would preserve the historic interest of the Grade II Listed Building and would 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.

It is considered that the siting and layout of the proposed outbuildings and fence 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 or related (existing) annexe 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 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-Commencement (Slab Level) Condition**: No works above ground floor slab level shall take place until drawings to a scale not smaller than 1:5 fully describing roof details, including sections through the eaves and verges, have been submitted to and approved in writing by the Local Planning Authority. The works must not be executed other than in complete accordance with the approved details.

Reason: As this matter is fundamental to ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved proposed plans and elevations drawings numbered 471_PL02, 471_PL03 and 471_PL04.

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).

5 **Regulatory Condition**: The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Medlars, Swallows Lane, (as identified on the approved plans) as a dwelling and shall not be used as a separate unit of accommodation.

Reason: The establishment of an additional independent unit of accommodation 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/24/0790

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Site plan		471_PL01 REV A	25.06.2024
Elevation & Floor plan	Proposed Tractor Shed	471_PL02	23.05.2024
Elevation & Floor plan	Proposed Garden Room	471_PL03	23.05.2024
Elevation & Floor plan	Proposed Annex	471_PL04	23.05.2024
Elevation plan	Existing Annex	0923-EA2-AE100-A2	23.05.2024
Floor plan	Existing Annex	0923-EA2-GF50-A2	23.05.2024
Roof plan	Existing Annex	0923-EA2-FF50-A2	23.05.2024
Supporting Statement	Bat Survey	23-127-BS REV 1	23.05.2024

Design & Access Statement	and Heritage	none	23.05.2024

DELEGATED

Case Officer sign/initial Marie Riggs Date: 29.07.2024

Authorising Officer sign/initial Guy Everest Date: 30.07.2024