

Batcheller Monkhouse



Oaklands Barn
Coltstaple Lane
Horsham
RH13 9BB

Planning, Design and Access Statement

November 2022

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This statement should be read in conjunction with the following documents and plans which form part of the application submission.

DOCUMENTS	
Planning, Design and Access Statement	CIL forms
Application and Ownership Forms	Water Neutrality Report
Tree and Arboricultural Impact Assessment	Protected Species Walkover, Bat and Owl Assessment
PLANS	
Site Location Plan	Proposed Plans Plot 1
Site Block Plan	Proposed Plans Plot 2
Proposed Site Plan	Proposed Elevations Plot 1
Existing Plan	Proposed Elevations Plot 2
Existing Elevations	

2. Site Description and Surrounding Area

The Site

The site subject to this application is located to the north of Coltstaple Road and within the southern edge of Oaklands Farm. The site extends to approximately 0.18ha. The site has an extant permission under reference DC/14/2697 which has partially been implemented for the change of use of the agricultural barn to two dwellings.

To the north of the application site is a residential dwelling which is the main dwelling of Oaklands Farm, to the west of the site is Kings Farm and surrounding the remainder of the site is a mixture of woodland and farmland.

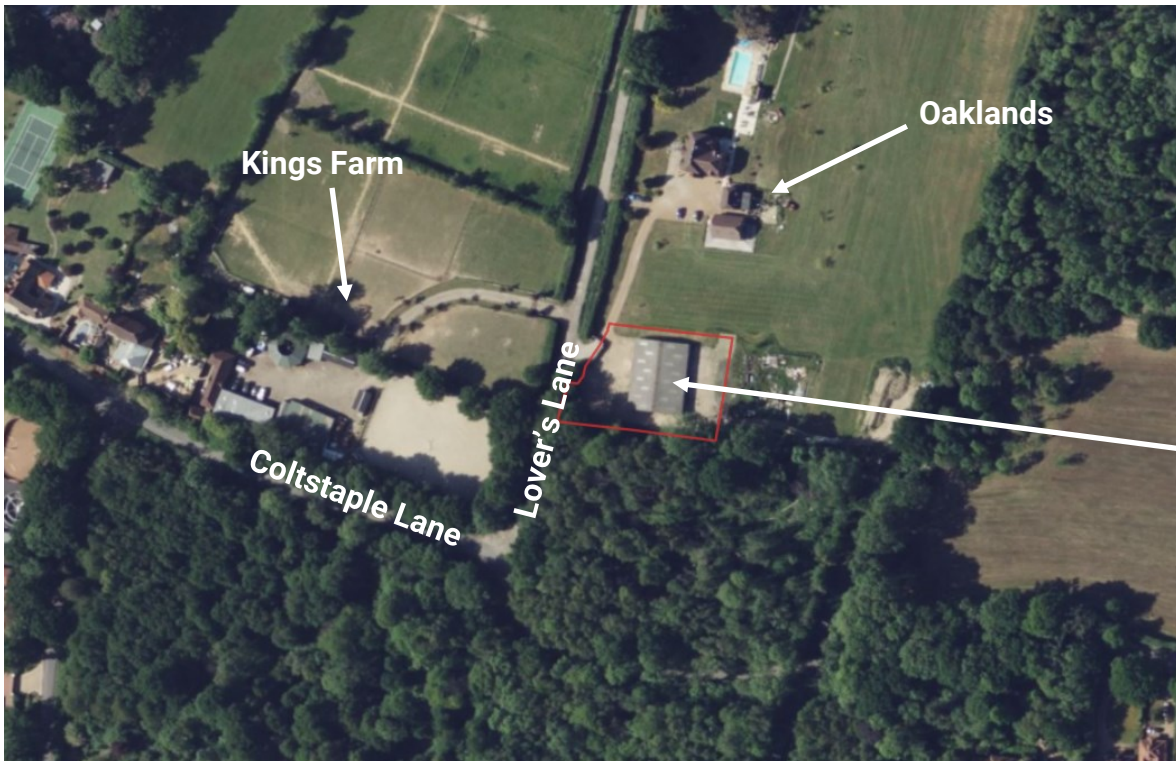


Figure 1 – Site and Surrounding Area



Figure 2 - Application Site

Surrounding Area

The site is bordered by open fields to the north and east, woodland to the south and Lover's Lane to the west which also serves as a Public Right of Way (reference WS|SOW|1670/7). Just beyond this to the north of the site is the residential dwelling of Oaklands Farm.

The entrance to the site is along Lover's Lane which is accessed directly off Coltstaple Lane. It is a made track that serves existing residential properties which are accessed directly off Lover's Lane.



Figure 3 - Access to site from Coltstaple Lane onto Lover's Lane



Figure 4- Access to site from Lover's Lane

The built up area of Southwater is approximately 700 metres to the west accessed via Coltstaple Lane. Horsham is located approximately 1.5 miles away to the north. A wide range of services can be found in Southwater and Horsham including doctors, dentists, supermarkets and a wide variety of shops that would adequately serve the needs of new residents.

The house styles along Coltstaple Lane are varied and range from farmhouses to detached chalet style properties. Examples of houses along Coltstaple Lane can be found below.



Figure 5- Examples of houses along Coltstaple Lane, Horsham (source of Images - Google Streetview)

3. Planning Background

Planning Policy

Planning applications are required to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan comprises the Horsham District Planning Framework and the Southwater Neighbourhood Development Plan (2019–2031). The National Planning Policy Framework is a material consideration.

Horsham District Planning Framework (2015)

The accompanying Proposals Map identifies the site as lying within the countryside, approximately 625m away from the built-up area boundary of Southwater. To the south of the site is ancient woodland but it is otherwise unaffected by any other statutory designations.

Policy 1 requires the Council to take a positive approach when considering development proposals that reflects the presumption in favour of sustainable development.

Policy 2 states that development around the edges of existing settlements will be managed in order to prevent the merging of settlements and to protect the rural character and landscape. The provision of rural housing is supported where it will contribute towards the provision of affordable housing where there is a demonstrable need.

Policy 15 supports expansion where it is appropriate to the scale and function of the settlement type. The development should demonstrate that it meets the identified housing needs or will assist the retention and enhancement of community facilities and services.

Policy 24 seeks to protect the high quality of the district's environment. Developments will be expected to minimise emissions including noise, odour, air and light pollution, and ensure that they are appropriate to their location, taking account of ground conditions and land instability.

Policy 25 states that the Council will support development proposals which protect, conserve and enhance the landscape and townscape character.

Policy 26 requires developments to be of a scale appropriate to the countryside character and location. Development will be considered acceptable where it does not lead to a significant increase in the overall level of activity in the countryside, and protects and/or conserves and/or enhances the key features and characteristics of the landscape character area in which it is located.

Policy 31 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.

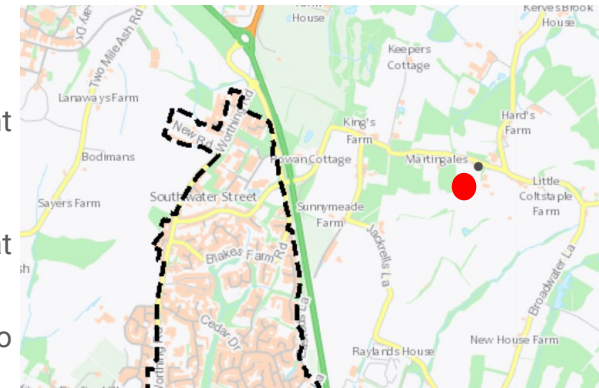


Figure 6 - Horsham District Planning Framework Proposals Map

Policy 33 presumes in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development. Ensure . The proposed scale, massing and appearance of the development should be of a high standard of design and layout and where relevant should relate 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 35 supports development it makes a clear contribution to mitigating and adapting to the impacts of climate change and to meeting the district's carbon reduction targets as set out in the Council's Acting Together on Climate Change Strategy, 2009.

Policy 37 states that all developments must be designed to encourage the use of natural lighting and ventilation. Measures which enhance the biodiversity value of a development should be incorporated. Satisfactory arrangements for the storage of refuse and recyclable materials should be an integral part of design.

Southwater Neighbourhood Development Plan (2019–2031)

Policy SNP10 requires all new residential units to meet the 'Technical housing standards – nationally described space standard' (March 2015, as amended in May 2016) or subsequent updated standard set by Central Government. In addition, all new residential units must have access to adequate private, or shared private, outdoor space to meet the needs of future occupants.

Policy SNP14 states that residential development must include provision for adequate off-road parking spaces in accordance with the following criteria: a) Apart from one bedroom flats which shall have one allocated parking space, every dwelling will provide, for use associated with that dwelling, 2 parking spaces and one additional parking space for each additional bedroom over a total of three, with an upstairs study counting as a bedroom within its curtilage (or within the development). b) The proposed solution should avoid car parking dominating the street-scene. Therefore parking should be to the side rather than in front the property. Where these criteria are not met applications should be refused.

Policy SNP16 requires all development to be of high quality design. In Southwater this means:

- Facing buildings with locally sourced materials, or materials equivalent to those that would historically have been sourced locally wherever possible.
- Encourage a variety of complementary vernaculars to encourage contextually appropriate design and diversity in our building stock.
- Using Secure by Design principles to ensure developments are safe to live in, supported by natural surveillance.
- Making sure the design of new development actively responds to other properties in the vicinity ensuring no unacceptable impacts on residential amenity occur.

Policy SNP17 requires new development to utilise existing site levels wherever practically possible. Development will not be supported if the final building's height would have an adverse impact upon neighbouring properties or the character of surrounding areas. Care should be taken to ensure that finished internal ground floor levels are no more than 1m above or below adjacent street level. Where this is not possible the incline between the edge of the public highway and the main entrance of the new building should have a gradient no steeper than 1:12.

SNP18 states that development proposals affecting areas of Ancient Woodland in the Plan area, as shown on the Policies Map, should provide long-term and measurable enhancements to them.

NPPF

The NPPF sets out a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking (paragraph 11).

There are three dimensions to sustainable development: social, economic and environmental (paragraph 8). Residential developments play an important role in the provision of sustainable development with the delivery of high-quality homes in the right location contributing towards the social, economic and environmental health of the district.

The NPPF states that development proposals which accord with the development plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

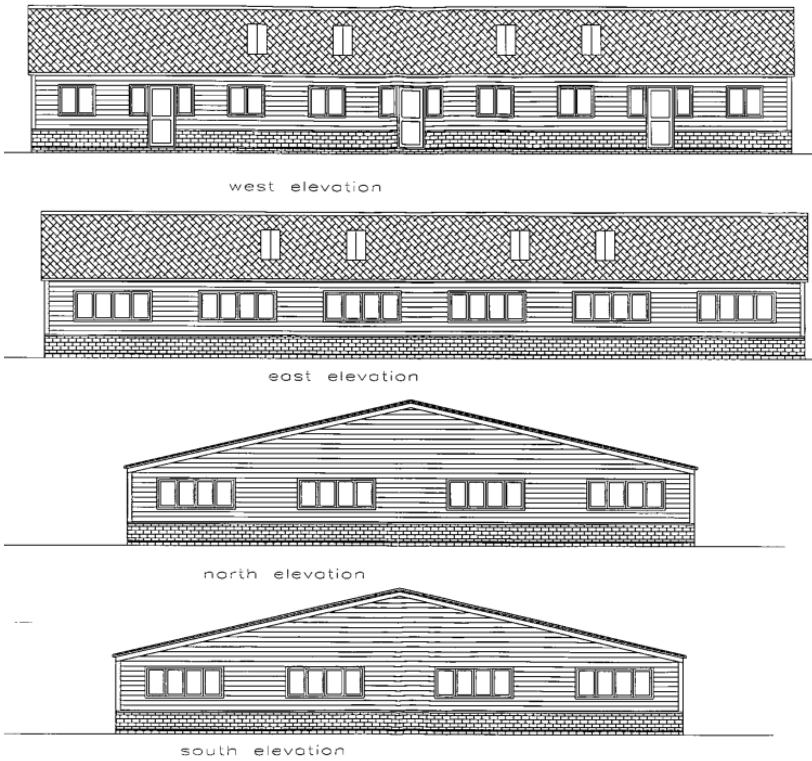
- The application of policies in the framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Planning History

The site has been the subject of three previous applications of relevance.

Firstly, a Class Q consent for the residential conversion of the agricultural building into 3no dwellings (reference DC/14/1581) was granted on 19th September 2014.

Figure 7– Consented Class Q Scheme DC/14/1581



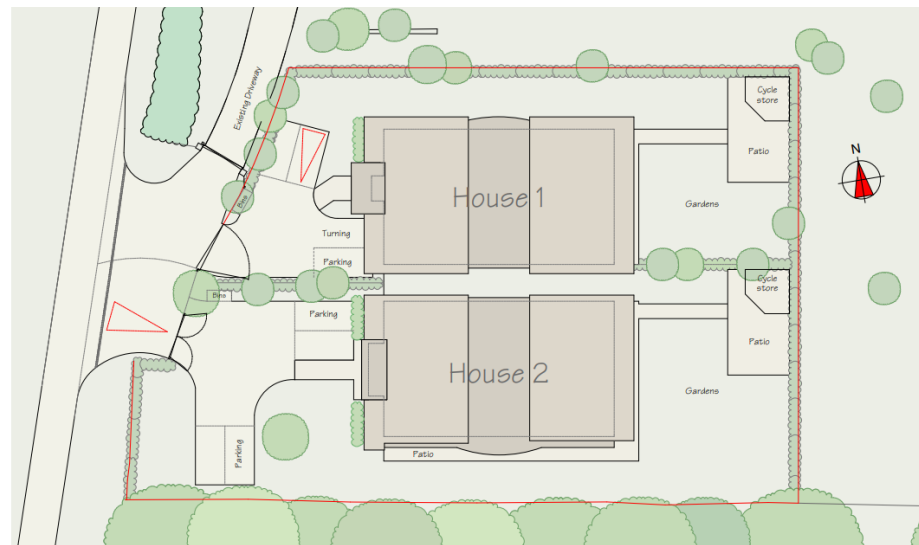
A subsequent Class Q application (reference DC/14/2697) for 2 x 4 bedroom dwellings was granted on 20th February 2015. This consent has been partially implemented.

Figure 8 - Partially Implemented Class Q Application DC/14/2697



A planning application (reference DC/15/2440) for the conversion of the barn to form two detached dwellings was submitted in November 2015. The application proposed works not permissible under Class Q and therefore full planning permission was sought. The proposed works included the demolition of the central section of the existing barn; the removal of the roof apex to create a flat roof, recessed elevation and a small veranda; and the installation of a chimney flue.

Figure 9 - Application Reference DC/15/2440



The application was refused for the following reason:

The proposed residential development by reason of its isolated and unsustainable location, inappropriate modern residential appearance, and reliance on the private car to access local services and amenities would be detrimental to the character and wider landscape quality of the countryside and would fail to meet the sustainable development objectives. The development therefore would be contrary to Policy 3, Policy 26, Policy 32 and Policy 33 of the Horsham District Planning Framework 2015 and the National Planning Policy Framework 2012.

A subsequent appeal (reference APP/Z3825/W/16/3147410) was dismissed with the Inspector commenting:

While the existing barn is of an undistinguished design and no particular historic interest, it is nevertheless a fairly typical 20th century farm building that could be expected to be found in a rural location such as this. Externally the proposed dwellings would have a very modern appearance, with the submitted drawings suggesting that the rendered walls would be white in colour, while the roofs would have a quite shallow pitch and be clad in zinc sheeting. The resulting buildings would have a very clinical appearance and I find that they would bear no resemblance to the barn from which they would originate. In my opinion these dwellings would be of an alien appearance in this location.

I have found that the existence of a genuine fallback position means that this would be an appropriate location for two dwellings in this instance. However, that is something that I find to be outweighed by the harm to the character and appearance of the area that would arise from the appeal development. The harmful nature of this proposal leads me to conclude that this would be an unsustainable form of development and that this appeal should be dismissed.

4. Proposed Development

Summary

The application proposes the demolition of one agricultural building and the erection of 2no. detached dwellings with associated parking. Both dwellings will be partially sited on the footprint of the existing building.

Layout

The houses are proposed to be arranged close to the existing access, but have been set further away from the ancient woodland to the south in order to provide a 15m buffer. The existing impermeable surfacing and building that sit within the 15m buffer will be removed and replaced with grass and permeable driveway.

Both dwellings will be partially sited on the northern footprint of the existing building (outlined in blue in Figure 10).

Amount

Two dwellings are proposed, as per the extant consent, with each having a gross internal floor area of 238m². Accommodation would be arranged over 2 floors with living accommodation on the ground floor and 4 bedrooms located partially within the roof space at first floor level.

The footprint of the two dwellings represents a reduction in built footprint on the site of 143sqm. Total floorspace would increase by 58sqm through the addition of a first floor.

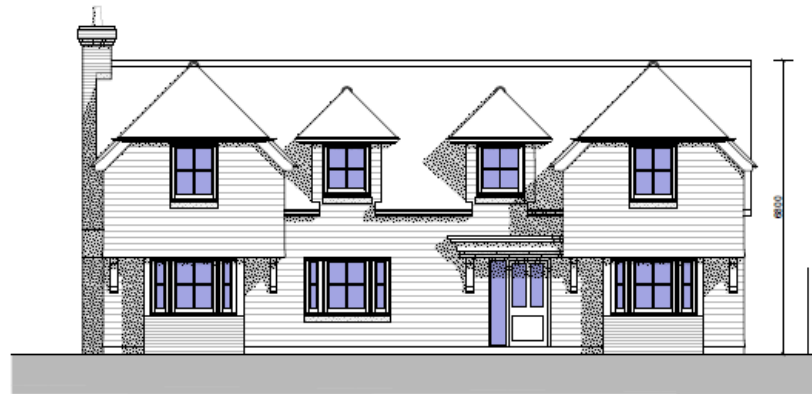
Figure 10 - Proposed Site Layout



Design

The dwellings have been designed to appear as those typically found within a farmstead. Features include half hipped roofs, chimneys, oak feather-edge weather boarding to walls with lbstock Parham red stock brick, and clay plain tiles to roofs.

Figure 11 - Proposed Elevations (Plot 1)



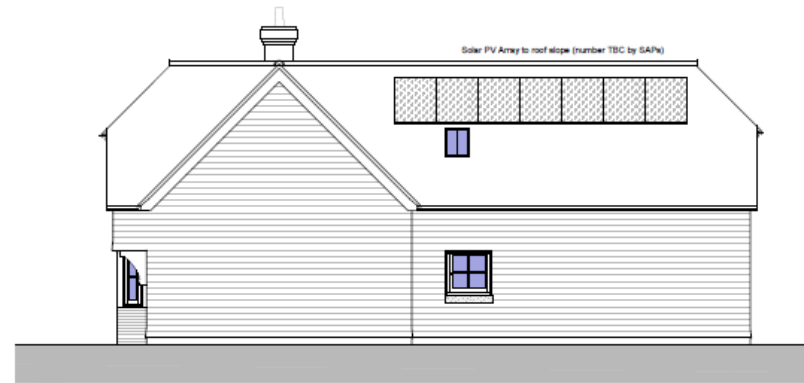
PROPOSED FRONT ELEVATION
(South)



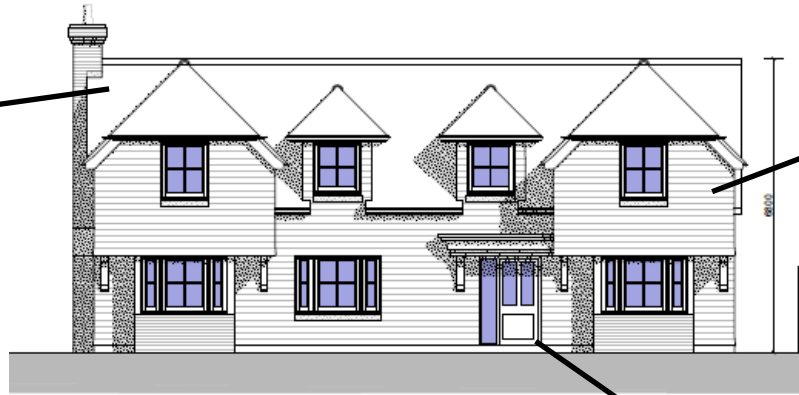
PROPOSED REAR ELEVATION
(North)



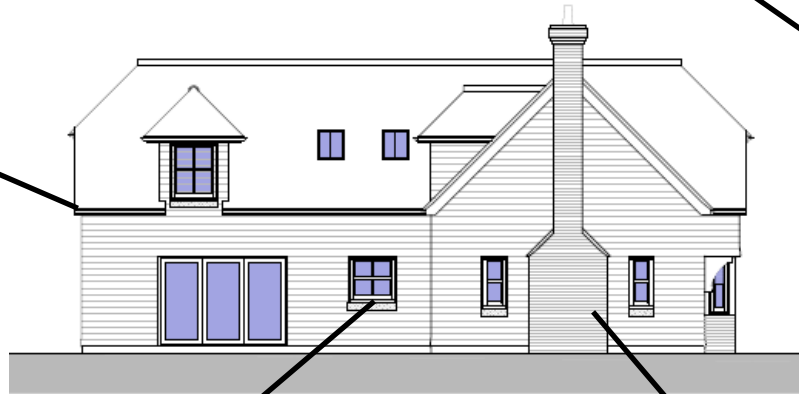
PROPOSED SIDE ELEVATION
(East)



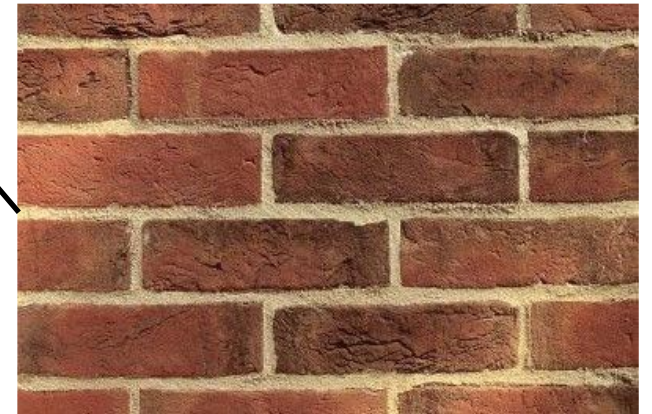
PROPOSED SIDE ELEVATION
(East)



PROPOSED FRONT ELEVATION
(South)



PROPOSED SIDE ELEVATION
(East)



Site Access

Access to the site would remain via the existing access directly off Lover's Lane via Coltstaple Lane..

Secure cycle storage will be provided within each plot to enable travel by means other than a private car.

Three car parking spaces will be provided for each dwelling, two of which will be supplied with an electric car charging point.



5. Energy Statement

Energy Usage

The energy strategy design for the scheme follows national policy guidance. It seeks to be:

Lean - minimise the overall environmental impact and energy use through energy efficiency measures eg improved insulation and glazing

Clean - ensure that energy systems on-site (heat and power) are efficient and produce minimal CO2 emissions - eg high efficiency boilers/heat pumps

Green—Implement the use of suitable technologies to provide renewable and emission free energy sources

Seen—Incorporate monitoring through SMART metering and accessible displays

Proposed measures to limit energy usage include:

- all glazed areas to have elements of shading provided by the building form or internal curtains or blinds.
- Solar gains controlled through Low E glazing
- All external elements to be well insulated
- 100% low energy/LED lighting
- Time, temperature and optimum start/stop controls to be installed to allow the control of individual zones and rooms throughout each house
- Use of green technologies such as air/ground source heat pumps will be investigated
- Smart meters to be installed in each house

Water Consumption

The application site is located within the North Horsham Supply Zone and is therefore affected by Water Neutrality issues. Natural England raised concerns regarding water extraction within the Sussex North Water Supply Zone. Ultimately, any development which will use water is now required to demonstrate water neutrality before it can go ahead. Further details of the water measures undertaken to achieve water neutrality for the proposed dwellings have been provided within the Water Neutrality report submitted as part of this application.

6. Planning Appraisal

The main issues in the consideration of the planning application are considered to be as follows:

- Principle of the proposed development
- Design
- Tree/Arboriculture Impact Assessment
- Ecology
- Access
- Parking

These matters are considered in detail below.

Principle of the proposed development

The Court of Appeal has held that permitted development rights, such as those for the residential conversion of agricultural buildings under Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (GPDO), can be treated as a fallback position where a planning application is submitted for other development on the same site.

The case in question is *Mansell v Tonbridge and Malling BC* (2017) EWCA Civ 1314. The applicant submitted a planning application for 4 dwellings following the demolition of a bungalow and barn. The barn being a potential candidate for residential conversion under Class Q of the GPDO with the resultant effect being the same number of dwellings as was being proposed within the planning application. In determining the planning application

the case officer advised the Council's Planning Committee that:

'a scheme confined to taking advantage of permitted development would, in my view, be to the detriment of the site as a whole in visual terms...the current proposal therefore, in my view, offers an opportunity for a more comprehensive and coherent redevelopment of the site as opposed to a more piecemeal form of development that would arise should the applicant seek to undertake to implement permitted development rights.'

The Court of Appeal dismissed an appeal for judicial review of the decision to grant planning permission lodged by a third party. Three issues arose on appeal. The first issue related to the interpretation of Class Q GPDO rights and whether the size limit (at the time 450sqm, now 865sqm) related to the building or the floorspace changing use. The appellant had argued that a 600sqm barn could not benefit from Class Q as it exceeded the 450sqm floorspace limit. However, Lindblom LJ confirmed this was not the correct approach

'This restriction is stated to be a restriction on the change of use, not on the size of the building or buildings in which the change of use occurs...The floor space limit set by it relates not to the total floor space of the building or buildings concerned. It relates, as one would expect, to the permitted development rights themselves, which apply to the 'cumulative' amount of floorspace actually changing use under Class Q'.

The second challenge concerned whether there was a real prospect of development taking place under Class Q without contemporaneous evidence that the landowner had contemplated such development. Lindblom LJ confirmed the basic principle is that for a prospect to be a 'real prospect', it does not have to be probable or likely. A possibility will suffice. There is no rule of law that the 'real prospect' will depend, for example, on the site having been allocated in the development plan. He concluded that the clear desire of the landowner to develop and maximise the value of the site was sufficient to demonstrate there was a real prospect to the Class Q fallback position.

The third challenge related to whether the Council had incorrectly applied the tilted balance towards sustainable development contained within paragraph 14 of the NPPF (now paragraph 11). Lindblom LJ confirmed the Council had not applied paragraph 14, but had instead considered whether the scheme constituted sustainable development in terms of the planning merits of the proposal and its advantages when compared with the Class Q fallback.

In summary, the Court of Appeal decision confirmed the following:

- The provisions of Class Q should be treated as a fallback position.
- A Class Q consent is not a necessary pre-requisite to establishing a fallback position.
- The planning merits of a proposal and its advantages when compared with the Class Q fallback are material considerations.
- The presumption in favour of sustainable development does not automatically apply.

The provisions of Class Q should therefore be treated as a material consideration in the determination of this application. Horsham District Council has historically applied this fallback position to similar applications that propose an alternative to a Class Q scheme. For example in relation to planning application reference DC/19/0591 which proposed an alternative scheme to a Class Q consent the officer commented in his report:

'...it is noted that the conversion of the existing agricultural building on the site to form 1no residential dwelling has Prior Approval under Class Q of the GPDO (DC/17/0963, dated 23 June 2017) and is permitted development. This Prior Approval consent also permits building operations reasonably necessary to convert the building to a C3 residential use, including new walls, roofs and windows. This is a material consideration in the determination of this current planning application.'

The presence of a prior approval for 1 no residential dwelling, which could still be implemented, represents a viable and realistic fall-back position were the current application to be refused. A refusal of the current application would not therefore prevent the introduction of a residential unit on the site.

It is therefore considered, subject to detailed considerations, that refusal of the application on the basis of the conflict with Policies 4 and 26 of the HDPF would not be warranted and would not prevent a dwellinghouse from being created on the site. On this basis the principle of development is considered acceptable, subject to any permission requiring the demolition of the existing agricultural building (to avoid both developments being carried out) and other relevant detailed considerations.'

The Class Q consent for the site allows for the provision of 2 dwellings, the same as now proposed. The principle of the type (residential) and scale (2 dwellings) of development should be considered acceptable.

The consent, its implementation and the site's planning history are strong evidence of the landowner's intention to redevelop the site. Therefore the Class Q consent can be relied upon as having a real prospect of being implemented given its partial implementation.

Whilst the submitted scheme is larger in terms of floorspace than the consented Class Q scheme by approximately 31%. The footprint has reduced by 40.2%. The increase in floorspace is due to the introduction of first floors rather than site coverage. The site coverage reduction is due to the proposed Class Q using the existing footprint of the agricultural building which measure 418 sqm and the new proposed plots only measuring 125 sqm each.

The scheme also has significant benefits over and above the Class Q schemes detailed previously on page 11 which weigh considerably in its favour.

The principle of the proposed development should therefore be considered acceptable.

Design

Policy 32 relates to the quality of development. In particular new developments are required to complement locally distinctive characters and contribute to a sense of place, whilst optimising the potential of the site to accommodate development.

The proposed dwellings have been designed to reflect traditional farm buildings using materials and detailing found elsewhere within the area. The rural style of housing is considered to be an appropriate response to this countryside location. They have also been repositioned further away from the ancient woodland to assist with its preservation and enhancement by increasing the amount of permeable ground cover within the 15m buffer.

In addition, Policy 33 sets out development principles which include the need to avoid unacceptable harm to neighbouring amenity, ensure a high quality and locally distinctive design and layout, and the efficient use of land. The proposal is considered to achieve this with thought and care given to the design and layout so as to respect the rural character of the surrounding landscape and neighbouring amenity. Houses are sited so as to avoid overlooking and are in any case distant from the nearest property.

The proposal is therefore considered to be consistent with Policy 32 and 33 of the HDPF and SNP16 of the neighbourhood plan.

Tree Impact/Arboricultural Impact

The proposals are not considered to result in any significant effects to the baseline situation and will in fact result in both biodiversity and environmental net gain impacts as noted in the Tree report undertaken by Nick Hellis. The proposal will also remove 200m² of existing hard surfacing within the buffer of the ancient woodland and be replaced with soft landscaping. It will also remove some 140m² of existing impervious slab foundering within the buffer of the ancient woodland and be replaced with a permeable surface which will provide a significant benefit to the health of the ancient woodland over the consented Class Q permission. It has been recommended prior to the commencement of any demolition or construction activity, to provide Horsham District Council with an Arboricultural Method Statement, a Tree Protection Plan, and a Schedule of Arboricultural Supervision in order to safeguard the retained trees.

The proposal accords with Policies 25 and 26 of the HDPF and Policies 6 and 10 of the Neighbourhood Plan.

Ecology

AEWC Ltd undertook a protected species walkover and bat and owl assessment which noted there are limited features on the site considered suitable for protected species and no further surveys have been identified as needed. However there is ancient woodland adjacent to the site which is an HPI and has been recommended within the report that removal of the existing hardstanding can be carried out using machinery, however no digging below the level of the existing hardstanding can take place or materials be stored within 15m of this habitat. A tree protection zone with hoarding or a heras fence must be installed and retained throughout the proposed development.

Lighting onto the boundary vegetation, particularly the southern boundary and ancient woodland, should be avoided or kept to the minimum necessary, and preferably on a motion sensor to reduce lighting time.

The proposal accords with Policies 31 and 33 of the HDPF and SNP18 of the Neighbourhood Plan.

Access and Parking

The access was considered suitable for serving two dwellings by the highways authority which raised no objection to the Class Q application.

Car parking provision is in line with local standards contained within the West Sussex County Council 'Guidance on Parking at New Residential Developments' (2019). The site lies within Parking Behaviour Zone 1 which requires 1.7 spaces per dwelling to be provided. 6 parking spaces are being proposed, 3 for each dwelling and there is ample space within the proposed driveways for visitor parking.

A bike store has also been proposed within the grounds of each dwelling.

The proposal is considered to comply with all aspects of Policy 41 of the HDPF.

7. Summary

The planning application proposes the demolition of the existing agricultural building and the erection of a 2no. dwellings with associated parking.

The application site benefits from permission for 2 dwellings under Class Q of the GDPO.

The Court of Appeal has ruled that the provisions of Class Q should be treated as a fallback position, and that the planning merits of a proposal and its advantages when compared with the Class Q fallback are material considerations.

Horsham District Council has historically given weight to this fallback position and has supported numerous applications proposing new build houses as an alternative to Class Q schemes.

The proposed dwellings offer significant benefits over the consented Class Q scheme. The planning merits and advantages when compared to the Class Q scheme are:

- * The removal of a redundant and unattractive agricultural building
- * Use of high quality, more energy efficient materials
- * A proposal that is water neutral
- * A bespoke design which reflects the local vernacular and rural character of the site whilst responding to the surrounding landscape
- * Biodiversity enhancements to enhance the site's suitability for protected and notable species as well as protecting ancient woodland
- * A landscaping scheme which includes native hedgerow planting, wildflower turf, retention of all existing trees and the planting of new trees to ensure the new buildings are settled into the green infrastructure.

It is therefore hoped that the planning authority will feel able to support the planning application.