Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/23/2048
Hornshill Farm, Chestnuts , Guildford Road, Rudgwick, West Sussex, RH12 3BH

DESCRIPTION:

Erection of a detached carport, metal shed, and wooden log store (Part Retrospective)

RELEVANT PLANNING HISTORY:

RW/27/55	Proposed farmworkers cottage Comment: & bldg regs (From old Planning History)	Application Permitted on 14.09.1955
RW/1/56	Revised proposals for agricultural cottage Comment: & bldg regs 08/02/56 (From old Planning History)	Application Permitted on 08.02.1956
RW/19/94	Single storey extension Site: Chestnuts Hornshill Farm Guildford Rd Rudgwick	Application Permitted on 26.04.1994
RW/79/98	Single-storey extension Site: Chestnuts Hornshill Farm Guildford Road Rudgwick	Application Permitted on 04.09.1998
RW/102/98	Erection of a double garage and continued use of land for residential garden and continued use of the barn for domestic storage purposes Site: Chestnuts Hornshill Farm Guildford Road Rudgwick	Application Permitted on 13.11.1998
DC/06/2198	Single-storey porch extension	Application Permitted on 01.11.2006
DC/13/1849	Single storey extension	Application Permitted on 19.11.2013
DC/21/1072	Application to confirm the continuous use of a detached building as ancillary accommodation for (Class C3 use) purposes, in non compliance with condition 3 of planning approval RW/102/98 for a period in excess of ten years (Lawful Development Certificate - Existing)	Application Refused on 14.04.2022
DC/22/1050	The barn and curtilage has been use as ancillary accommodation and use to the main house for more than 10 years and the alterations to barn 2 have been done more than four years ago (Lawful Development Certificate - Existing)	Application Refused on 15.02.2024

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)
Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 24 - Strategic Policy: Environmental Protection
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 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
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.

Rudgwick Neighbourhood Plan:
RNP6 – Materials
RNP7 – Architectural Style
RNP8 – Development Height
RNP9 – Street Scene

Rudgwick 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

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:

1 letter of objection has been received, and this can be summarised as follows:

- Excessive size of building
- Existing building could be used for the parking of cars

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

Design and Appearance:

Policy 28 of the Horsham District Planning Framework (HDPF) states that outside the defined built-up areas, ancillary accommodation will be supported if the development can be accommodated appropriately within the curtilage of the existing dwelling. The size of any new outbuilding should have regard to the dwelling they serve and should be grouped with the house. Garages and any new outbuildings should have regard to the dwelling they serve and should be grouped with the house. The use of ancillary accommodation as a separate dwelling will not be supported.

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

The proposed development would be located along the southern boundary of the site and would be oriented to face north. The proposal would comprise a garden tool shed, storage shed for garden equipment, and a 4-bay car port.

While it is recognised that the proposal is positioned some distance from the host dwelling, the site is well-contained with a cluster of buildings positioned to the front of the dwelling. Given this context, the proposal is not considered to appear out of character or result in adverse harm to the setting of visual appearance of the site. The building would be modest in scale and height and is considered to be of materials and finish that would reflect the rural character of the area. For these reasons, the proposal is considered to relate sympathetically with the character and appearance of the site and surroundings, in accordance with the above policies.

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.

Policy RBP6 of the Rudgwick Neighbourhood Plan states that development should utilise materials that reflect the common building styles across the Parish. Policy RNP7 states that new development

proposals should be designed with reference to the surrounding architecture, paying particular attention to features of the local vernacular and locally characteristic details.

The development is positioned at a distance from the nearest residential properties located to the north. While recognised that concerns have been raised by the neighbouring property with regard amenity impact, given this distance and the intended nature of use, it is not considered that the development would result in harm to the amenities of neighbouring residential properties, in accordance with the above policies.

Highways Impacts:

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

The development would include the provision of a car port providing 3no. bays for cars and an additional bay for garden maintenance equipment. The development would be oriented to face north and would be accessed within the existing hardstanding serving the wider site.
The proposal would provide covered parking serving the existing residential dwelling and is not considered to result in an intensification in vehicle movements. The proposal would not therefore result in harm to the function and safety of the public highway network, in accordance with the above policies.

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 186 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusions:

The development is considered to accord with all relevant local and national planning policies.

Recommendation: Application Permitted

Conditions:

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

3 **Regulatory Condition**: The development hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of Chestnuts, Hornshill Farm, Guildford Road as a dwelling and shall not be used for any commercial purpose.

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/23/2048
(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
Floor plan	Car Port	NONE	21.11.2023
Floor plan	Floor Plan Metal Shed Item C Floor Plan Item A	NONE	28.11.2023
Elevation plan	Front Elevation Item A	NONE	21.11.2023
Location plan		NONE	08.11.2023
Block plan		NONE	21.11.2023
Elevation plan	Metal Shed Plan Item C	NONE	21.11.2023
Elevation plan	Elevation Item B	NONE	21.11.2023

DELEGATED

Case Officer sign/initial Tamara Dale Date: 16.04.2024

Authorising Officer sign/initial Guy Everest Date: 17.04.2024