Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0577
White Croft, Woodland Lane, Colgate, West Sussex, RH13 6HU

DESCRIPTION:
Change of use of part of the land to be incorporated into the dwelling house curtilage and the erection of a barn on the land and access track.

RELEVANT PLANNING HISTORY:

DC/23/2319	Erection of a porch and single storey rear extensions to both sides of the property. Alterations to the doors and windows and replacement of first floor cladding to tile hung.	Application Permitted on 21.03.2024

SITE AND SURROUNDS

The application site consists of a large detached two storey dwellinghouse set within a large plot. The site boundary treatment is mature vegetative screening and the land itself proposed for conversion is to the east of this plot.

DETAILED DESCRIPTION

The application seeks permission to change the use of the land to residential to incorporate it into the residential curtilage of White Croft. Whilst it is understood that the outbuilding proposed would be residential, the appearance of the building would be an agricultural barn. The Planning Statement states that the barn would be used to store classic cars, and equipment for the garden of White Croft and maintenance of the fields marked in the blue line boundary which is also in the applicant's ownership. The dimensions of the proposal would be a depth of 12 metres, width of 6 metres. The eaves height of the proposal would be 2.5 metres and would have a maximum ridge height of 3.6 metres. The external materials would be green steel panels. The existing gates would remain but the access track to the building would be made from construction rubble with a visible surface of 50mm of recycled road planings.

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 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 10 - Rural Economic Development
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection
Policy 27 - Settlement Coalescence
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 40 - Sustainable Transport
Policy 41 - Parking

Neighbourhood Plan:
Colgate has not been designated as a Neighbourhood Plan area.

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:

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:
As the access gateway is 30m from the proposed barn entrance, is planning permission required for any hardstanding / driveway leading to the barn?

If planning permission is granted CPC would ask that a condition be applied that the barn is to be used for private use only in conjunction with the use of the house and not to be used for any business, commercial or industrial purpose.

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

Principle of Development:

Policy 26, Countryside Protection, of the HDPF states that all proposals (in the Countryside) must be essential to its countryside location and meet one of the following criteria:

1. Support the needs of agriculture or forestry;
2. Enable the extraction of minerals or the disposal of waste;
3. Provide for quiet informal recreational use; or
4. Enable the sustainable development of rural areas.

In addition, proposals must be of a scale appropriate to its countryside character and location. The policy also notes that development will be considered acceptable where it does not lead, either individually or cumulatively, 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.

The current application seeks permission for the change of use of the land from agricultural to residential. The outbuilding would be ancillary to White Croft and would be sited to the north western boundary of White Croft, outside of the respective residential curtilage of this dwelling. The planning statement confirms that the development would be for personal use to store classic cars, equipment for the maintenance of White Croft garden and the surrounding land which is comprised of open fields with mature vegetative screening.

It is noted that White Croft benefits from a large sized curtilage which extends to the north, west, south and east of the dwelling. There are a number of detached outbuildings within the curtilage. The paddocks to the east and west of the application site are not currently being used for agricultural purposes and it is considered that whilst the proposed change of use of the land would not be strictly in accordance to policy 26 of the HDPF in that it is not essential to its countryside location, it would not result in a material intensification of activity within the countryside.

Whilst the proposal is not strictly essential to its countryside location, it would allow for quiet recreational enjoyment of the land and would not represent a change of use that would be more intensive within the rural context. Any harm therefore would be very limited and it is not considered that the change of use would warrant a refusal in respect of Policy 26 of the HDPF.

Design and Appearance:

Policy 25 of the HDPF states that the natural environment and landscape character of the District, including landscape, landform and development pattern, together with protected landscapes, will be protected against inappropriate development. Proposals should protect, conserve and enhance the landscape character, taking into account areas identified as being of landscape importance. In addition, policies 32 and 33 of the HDPF promote development that is of a high-quality design, which is based upon a clear understanding of the local, physical, social, economic, environmental, and policy context. Development will be expected to provide an attractive, functional, and accessible environment that complements locally distinctive characters and heritage of the District. Development should contribute to a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings and the historic landscape in which they sit. Development should ensure that the scale,

massing and appearance of the development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site.

The character of the area is rural with some sporadic residential development. The siting of the building would be set back from Woodland Lane such that it would not appear overly prominent within the streetscene. The scale and appearance of the building appears agricultural in nature such that it would not be unsympathetic to the character of the area. The proposal would not be considered to harm the appearance of the application site or of the character of the area. The materials for the access track leading from the existing access to the building would be topped with 50mm approx rolled surface of recycled road planings over rubble. Given that the nature of the use of the building would not result in a significant increase in activity there are no objections to these materials. The proposal is considered in accordance to policy 25, 32 and 33 of the HDPF.

Amenity Impacts:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contributes 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.

Given the remote siting of the outbuilding with neighbours in the amenity of the building, and the nature of the development as a single storey barn structure it is not considered that the development would result in an unacceptable relationship with neighbouring properties.

Highways Impacts:

Policy 40 of the HDPF state that development should provide safe and adequate access suitable for all users. Policy 41 of the HDPF provides that development should provide adequate parking facilities to meet the needs of anticipated users, including appropriate provision to support electric vehicles and to meet the needs of cyclists and motorcyclists.

The parish query in regards to whether the application includes hardstanding has been noted, and in response the officer has asked for clarification and subsequent amended plans to outline the extent and materials of the access track. In this instance, the existing gate would be retained and an access track would be constructed in residential rubble and covered in 50mm of recycled road planings. Whilst this would be considered a rough track, given that it would be within a residential use rather than an agricultural usage this type of track would be sufficient to account for the level of activity within the application site. Given that the nature of the proposal is for an ancillary outbuilding, the proposal would be sufficient. No objections in regards to policies 40 and 41 of the HDPF.

Ecology and Trees:

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate.

Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.

The submitted plans include an indicative root protection area for trees in closest proximity to the outbuilding and it is noted that the outbuilding would not be in such close proximity to the root protection areas that further consultation with the Aboriculture officer is needed. Overall, there are no

concerns with regard to trees. Furthermore, given that the increase in activity in proximity to trees would be modest, it is not considered that the proposal would give rise to unacceptable of likely impact on potential protected species. Overall the proposal is in accordance with policy 31 of the HDPF.

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 application seeks a change of use to residential and the erection of an outbuilding ancillary to White Croft. The proposal would not result in an increase of activity within the countryside location and would have a design that would be sympathetic to the character of the area. There are no concerns with the resultant impact of the proposal on neighbouring amenity, Water Neutrality or Ecology and trees. The proposal is 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 detached outbuilding shown within the red line boundary of the submitted site plan hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of White Croft, Woodland Lane, Colgate, West Sussex, RH13 6HU and shall not be used as a separate unit of accommodation, commercial or industrial use.

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 Policy 33 of the Horsham District Planning Framework (2015), and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023).

4 **Regulatory Condition:** The materials to be used in the outbuilding hereby permitted shall strictly accord with those indicated on the application form and the access track will be rubble base with 50mm rolled surface of recycled road planings.

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/24/0577
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		018 REV C	14.06.2024
Site plan	Existing	019	15.04.2024
Floor plan	Proposed	016	15.04.2024
Elevation plan	Proposed	017	15.04.2024
Supporting Statement	Planning	none	15.04.2024
Supporting Statement	Water Neutrality	none	15.04.2024
Site plan	Site plan access track	020	09.07.2024
Site plan	Root protection area	023	08.07.2024

DELEGATED

Case Officer sign/initial Hannah Darley Date: 15/07/2024

Authorising Officer sign/initial RHERMITAGE Date: 15.07.2024