# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0488
Oakhurst, West Chiltington Road, Pulborough, West Sussex, RH20 2EE

DESCRIPTION:
Erection of a garage with office and storage on first floor

RELEVANT PLANNING HISTORY:
There is an extensive planning history for the site, with the following considered to be of most relevance:-

| | | |
|---|---|---|
| DC/24/0397 | Replace proposed front extension with roof canopy over door, and installation of a flat roof rear extension (amendments to Approved Application DC/23/1590) | Under Consideration |
| DC/23/1590 | Erection of single storey extensions, replacement porch, changes to fenestration, raising of rear terrace by 150mm, replacement of 3 existing garages with 1 triple-bay garage with first floor office and storage. | Application Permitted on 01.11.2023 |
| DC/23/1781 | Erection of detached garden shed for storage of garden equipment and machinery | Application Refused on 20.11.2023 |
| DC/06/0197 | Use of land as a garden to Oakhurst (Certificate of Lawful Development - Exisitng) | Application Permitted on 11.05.2006 |
| PL/114/99 | Erection of barn for equipment storage<br>Site: Oakhurst West Chiltington Road Pulborough | Application Permitted on 04.02.2000 |

RELEVANT PLANNING POLICIES
**The National Planning Policy Framework (NPPF)**

**Horsham District Planning Framework (2015)**:
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 40- Sustainable Transport
Policy 41- Parking

**Neighbourhood Plan**:
Pulborough 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 following policies are of significant weight subject to water neutrality being demonstrated: -

Policy 1 – A Spatial Plan for the Parish
Policy 15 - Design

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:
**HDC Arboriculture**: No Objection, conditions recommended.

**WSCC Highways**: No Objection.

**Southern Water**: No Objection, advisories provided.

**NatureSpace (Great Crested Newts)**: No Objection.

**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:
One representation received stating no objection to the garden storage area being added on to the previously approved garage and office building but objecting to the use of a metal standing seam roof for the whole outbuilding. This material would make the outbuilding appear more of an industrial estate and be a bit of an eyesore and is not in keeping with both the existing house and properties within the local area. The roof should be clad with traditional plain tiles to match the existing house.

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 application site comprises of a large two-storey detached dwelling composed of tile hanging and brickwork, and associated outbuildings, situated within a large plot which is bounded by the West Chiltington Road to the north and the A283 to the west. Boundary treatment to the front along the West Chiltington Road consists of brick wall, fencing and timber entrance gate and also mature hedgerow, with mature hedgerow and trees along the boundary with the A283 providing screening of the site from public views from the public highway. The site is outside any built-up area boundary and is a countryside location for planning purposes.

Planning permission was refused in November 2023 for the erection of a detached garden shed for storage of garden equipment and machinery, due to its siting and scale resulting in the carrying out of building and engineering operations within the root protection area of a mature roadside oak which was considered likely to have an adverse impact on the health and stability of the tree, and consequently, the visual amenity and character of the area, contrary to Policies 31 and 33 of the Horsham District Planning Framework (2015).

This current application seeks planning permission for the erection of a garage extension with office and storage on the first floor. It is set out in the planning statement that the reason for the redesign of these garages is instead of a proposed garden building that was refused due to concerns that the oak tree which straddles the boundary of the property. The garage is proposed to be enlarged to the south by incorporating the stairs into the original section of the building and stepping down the new section in line with the slope in the ground. The additional proposed section is smaller than the originally proposed separate garden building to maintain distance from the RPA of adjoining oaks.

The resultant garage building would have a dual pitched roof gabled at the sides (north and south). A two-bay garage at the northern end, workshop in central section and garden storage area in the south section. Partial vaulted storage in the southern section and hom,e office and wc in the first floor above the garage and workshop. An external timber staircase to the north to provide first floor access. Materials would consist of brick plinth and weatherboard cladding walls. Standing seam dual pitched roof. Wooden entrance doors to garage and workshop on west elevation. Aluminium roller door on south elevation. Five roof lights to the west facing roof slope to light the first floor.

**Character and Appearance**

Policy 28 of the Horsham District Planning Framework (HDPF) relates to extensions and redevelopment of dwellings in the countryside, stating that:

"*Outside the defined built-up areas house extensions, replacement dwellings and ancillary accommodation will be supported if the development can be accommodated appropriately within the curtilage of the existing dwelling. In addition:*

3. *Ancillary accommodation and garaging will be required to meet with all other appropriate policies, particularly design principles, and demonstrate that the need for additional space cannot be met from an existing dwelling or buildings suitable of conversion on the site. The size of any new outbuilding 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, and*

4. *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 32 and 33 of the HDPF seek 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.

The proposal would create a sizeable outbuilding but one which would be clearly subservient in form and function to the main dwelling. The siting would be in reasonable proximity to the dwelling, with the nature of surrounding screening and presence of existing structures in this location such that it would not appear unduly dominant or intrusive. The design approach is considered acceptable for the site and location. It is noted that concern has been raised in respect of the proposed roof material, which is indicated as featuring a standing seam profile. While this would contrast with the tiles of the main dwelling a standing seam roof would not as a matter of course be inappropriate to the location with the siting and scale of the building such that it would not create a poor or unsightly relationship with

surrounding development. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

**Trees**

The proposed development is immediately adjacent to several mature roadside trees that make a positive contribution to the character of the streetscene/public amenity. An arboricultural report has been provided in support of the proposal, which states the two principal trees of merit in the streetscene (an oak and a hornbeam) can be reasonably retained without significant harm to their key rooting areas, subject to an appropriate level of on-site tree protection measures and precautionary approach to working within their recognised root protection areas.

The proposal would make use of previously disturbed ground which together with the above is considered sufficient to ensure any construction impacts can be minimised, with conditions to this effect recommended. It is acknowledged that the proximity of the building to the trees could lead to future pressure for felling / lopping. This is not though inevitable and as the trees are not formerly protected any future tree works would go beyond the control of planning.

It is noted that a significant extent of damage to the rooting area of the oak tree has already occurred, including the installation of earthworks and new hardstanding that will link into the proposed building for vehicle access. These works have not been included as part of the application, being undertaken under permitted development rights.

**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 development, given the existing, and separation distances to neighbouring property, would be sufficient to prevent any unacceptable harm to neighbouring amenity.

The use of the building for purposes incidental to the principle dwelling would not be expected to result in significant potential for harmful levels of noise or disturbance in this predominantly residential cluster of development.

**Highways**

This application proposes the creation of a garage with office and storage on first floor, no gate/access alterations are proposed. The inclusion of a home office is not anticipated to generate a material increase in vehicular movements over that already generated by the proposal. There are no reasons to consider that the proposal would have an unacceptable impact on highway safety or result in ‘severe’ cumulative impacts on the operation of the highway network, and there are no transport grounds to resist the proposal.

**Other Matters**

The application site is within the red Impact Risk Zone which has high potential for Great Crested Newts. The nature and siting of the proposed development is though such that there would be no likely impact on great crested newts or their habitats.

The siting of the proposed outbuilding is outside of the buffer of an intermediate gas pipe which runs broadly along the centre of West Chiltington Road. No further advisories in this regard are therefore considered necessary.

**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 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 **Regulatory (Time) Condition**: The development hereby permitted shall be begun 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, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The materials and finishes of all new external walls, roofs and fenestration of the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: In the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition**: The development hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of Oakhurst, West Chiltington Road (as identified on the approved plans) for the purposes / uses indicated on the approved plans. The development shall not be used as a separate unit of accommodation or for primary living accommodation.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites and as the establishment of an additional independent unit of

accommodation would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation, and in accordance with Policies 28, 31 and 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

- The applicant is advised that foul sewers are present in the vicinity of the development. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site. In addition: -

  - The 300 mm and 100 mm diameter gravity sewers require a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.
  - No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
  - No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable gravity sewers.
  - All existing infrastructure should be protected during the course of construction works.

- The Applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

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.

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**Plans list for: DC/24/0488**

(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 plan | | L01 | 27.03.2024 |
| Block plan | | B01 REV A | 02.04.2024 |
| Elevation & Floor plan | Roof, and Sections, as proposed | AG101 REV A | 02.04.2024 |
| Supporting Statement | Planning | NONE | 27.03.2024 |
| Supporting Statement | Community Infrastructure Levy | NONE | 27.03.2024 |

**DELEGATED**

Case Officer sign/initial Steve Astles Date: 30.05.2024

Authorising Officer sign/initial Guy Everest Date: 05.06.2024