



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/23/1069

Bentons Cottage , Bentons Lane, Dial Post, West Sussex, RH13 8NP

DESCRIPTION:

Change of Use from Existing Office and Barn to 2no. 1-Bed Holiday Let Units.

RELEVANT PLANNING HISTORY:

WG/24/84	Alterations and extension and double garage (From old Planning History)	Application Permitted on 20.07.1984
WG/11/91	Conversion of garage to provide granny annexe & extension Site: Bentons Cottage Bentons La Dial Post	Application Refused on 02.04.1991
WG/46/01	Single-storey 1st floor and 2-storey extensions carport and 2-storey extension with dormer window to garage to form bedsit studio area Site: Bentons Cottage Bentons Lane Dial Post	Application Refused on 26.07.2001
WG/83/01	First-floor & single-storey rear extension,two- storey side extension, 2 bay open-fronted garage Site: Bentons Cottage Bentons Lane Dial Post	Application Permitted on 24.12.2001
WG/5/02	Conversion and extension of existing garage to studio use Site: Bentons Cottage Bentons Lane Dial Post	Application Refused on 21.02.2002
DC/14/1984	Proposed detached triple garage with storage, accommodation over	Application Permitted on 30.12.2014
DC/20/0214	Existing use of building as an office within Use Class B1(a) (Certificate of Lawful Development - Existing)	Application Refused on 17.06.2020

SITE AND SURROUNDS

The application site is located to the north of Bentons Lane, outside of any defined built-up area. The site is therefore located within the countryside in policy terms.

The site comprises 2no. buildings located to the east and west of Bentons Cottage respectively, with the site bound by hedging and fencing to the boundaries. The site benefits from existing access points to Bentons Road, which is also designated as a public bridleway. A ribbon of residential properties are located to the south-east of the site, with the wider surroundings characterised by open countryside and woodland.

DETAILED DESCRIPTION

The application seeks full planning permission for the conversion of 2no. existing buildings to 2no. 1-bed holiday-lets. Associated parking and amenity space would be provided.

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 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 11 - Tourism and Cultural Facilities
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
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
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

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 4.3 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.

West Grinstead Neighbourhood Plan:

Policy 4 – Green Infrastructure: Existing Trees, Hedgerows, Habitats and Wildlife
Policy 9 – Car Parking

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:

INTERNAL CONSULTATIONS

HDC Arboricultural Officer: No Arboricultural Concerns

The principal landscape features of the rural setting are the boundary hedges and mature trees therein. Whilst there are some oaks in relatively close proximity to the buildings, there are no pressures associated with the change of use that would foreseeably result in desires to denude the landscape setting.

HDC Environmental Health: Comments

Layout and arrangement of Units 1 and 2 and impact of the passage of smoke and flames. Lack of information regarding the number and location of smoke and heat detectors.

OUTSIDE AGENCIES

WSCC Highways: Comments

The site is located on Bentons Lane, a privately maintained road. Bentons Lane is maintained as Public Bridleway no. 1886_1.

No alterations are proposed to the existing vehicular access point on Worthing Road. From inspection of WSCC mapping, there are no apparent visibility concerns with the existing point of access on to the maintained highway. In addition, the proposed change of use is not anticipated to give rise to a material intensification of use of this existing access point.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposals would exacerbate an existing safety concern.

The plans demonstrate a parking provision of two parking spaces per unit. Considering the scale of the holiday lets proposed, the Local Highways Authority considers the proposed parking provision to be sufficient. The private lane can be utilised to turn and exit on to the maintained highway in a forward gear. A cycle store has been demonstrated for Unit 2, and the Local Highways Authority would request that secure cycle parking also be provided for Unit 1, to promote the use of sustainable transport methods. In summary, the Local Highways Authority does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

WSCC Public Rights of Way: No response received

WSCC Fire and Rescue: Currently the nearest Hydrant to these proposed properties is 300 metres away. The supply of water for firefighting for a domestic premises should be within 175 metres.

Newt District Licensing Officer: No comments received

Ecology (Initial response received 23.06.2023): Temporary Holding Objection

There is an absence of ecological information included with the application to help assess the potential use of the existing storage barn and the existing office building by bats. Further information on bats is needed prior to determination.

All bat species are designated and protected as European Protected Species, protected under the Conservation of Habitats and Species Regulations 2017 (as amended). This means that it is an offence to deliberately kill, injure, disturb or capture bats and to damage or destroy bat breeding sites and resting places (including access points even when bats are not present). It is also an offence under the Wildlife

and Countryside Act 1981 to intentionally or recklessly disturb bats while they occupy a structure or place used for shelter or protection or to obstruct their access.

This is considered a reasonable request as bats may be present in the existing storage barn and affected since the works will include a replacement roof (Planning, Design & Access Statement, DMH Stallard LLP, May 2023). There is a record for Soprano Pipistrelle 200m to the west and a further record for Brown Long-eared bat 390m to the northwest (Sussex Biodiversity Record Centre – in-house records); and a European Protected Species licence has been granted for Common Pipistrelle bats approximately 900m to the south of the site (MAGIC maps <https://magic.defra.gov.uk/MagicMap.aspx>). This request for information is justified, and therefore reasonable, as protected species are a material consideration for planning.

In addition, the site lies within the 12km Wider Conservation Area of The Mens Special Area of Conservation (SAC) for which the qualifying feature is Barbastelle bats (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol).

The results of the above surveys for bats are required prior to determination because paragraph 99 of ODPM Circular 06/2005 highlights that: “It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.”

This information is required to provide the LPA with certainty of impacts on legally protected species and be able to secure appropriate mitigation either by a mitigation licence from Natural England or a condition of any consent. This will enable the LPA to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 and prevent wildlife crime under s17 Crime and Disorder Act 1998.

Ecology (Subsequent response received 24.07.2023): Recommend Approval Subject to Conditions

Note that Building B1 has no potential bat roost features (Preliminary Roost Assessment (Arbtech Consulting Ltd. June 2023)), and agree that no further bat surveys are needed.

Satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable. This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

The mitigation and enhancement measures identified in the Preliminary Roost Assessment (Arbtech Consulting Ltd. June 2023) should be secured by a condition of any consent and implemented in full. This includes the requirement for a low impact lighting strategy during and post-development in Table 5 of the Preliminary Roost Assessment (Arbtech Consulting Ltd. June 2023). This is necessary to conserve and enhance protected and Priority species.

Also support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174[d] of the National Planning Policy Framework 2021. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Layout and be secured by a condition of any consent for discharge prior to slab level.

Southern Water: Consideration must be given to the proposed location of development in relation to existing uses that may be a source of pollution in terms of odour. Apply a precautionary buffer zone for any development located within 500 metres of the boundary of a Waste Water Treatment Works.

The proposed development is located approximately 60 metres from the Dial Post Wastewater Treatment Works, and as such have applied this requirement.

Due to the potential odour nuisance from a Waste Water Treatment Works, no sensitive development should be located within the 1.5 OdU odour contour of the WWTW. An Odour Assessment will need to be carried out by a specialist consultant employed by the developer to a specification that will need to be agreed in advance with Southern Water to identify and agree the 1.5 OdU contour.

Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer.

Natural England (Standing Advice): Objection

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 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.

Natural England (Response received 14.07.2023): No Objection

Concur with the conclusions of the Local Planning Authority's Appropriate Assessment.

Parish Comments: Objection

- Two additional residential units within the open countryside
- Storage barn and garage have never been used for their intended use
- All units will have separate accesses
- The units will not be ancillary
- Bentons Lane is not a public highway, but is a public bridleway
- Additional traffic would be out of keeping with its setting
- Site is outside of the Secondary Settlement boundary
- Fire hydrant should be within 175 metres
- Sceptical over Water Neutrality Statement

Representations:

11 letters of objection were received from 5 separate households, and these can be summarised as follows:

- Increased traffic
- Noise and pollution
- Impact on users of the public bridleway
- Impact on mature Chestnut Tree
- Outside of the Secondary Settlement boundary
- No need for additional tourist accommodation
- Density of development
- Water neutrality
- Does not contribute to green infrastructure
- Impact on quiet and peaceful setting
- Buildings have not been used for original intended purposes

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 11 of the Horsham District Planning Framework (HDPF) states that measures which promote tourism and enhance local cultural facilities, including recreation based rural diversification, will be encouraged. Any development should be of a scale and type appropriate to the location, and should increase the range, or improve the quality of accommodation, attraction and experiences, for tourists, day visitors, business visitors, and residents in the District. Support will particularly be given to proposals which: reinforce the local distinctiveness and improve existing facilities; focus major tourism and cultural facilities in Horsham town centre; seek to ensure that facilities are available within the towns and villages in the district and are in keeping with their relationship with the urban area and countryside around them; develop the opportunities associated with rural diversification and rural development initiatives, particularly when they assist farm diversification projects, benefit the local economy, or enable the retention of buildings contributing to the character of the countryside; and do not result in the loss of a cultural resource.

Policy 10 of the HDPF states that sustainable rural economic development and enterprise within the District will be encouraged in order to generate local employment opportunities and economic, social and environmental benefits for local communities. In the countryside, development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported in principle. Any development should be appropriate to the countryside location and must: contribute to the diverse and sustainable farming enterprises within the District, or in the case of other countryside based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside; and either be contained wherever possible within suitably located buildings which are appropriate for conversion or, in the case of an established rural industrial estate, within the existing boundaries; or result in substantial environmental improvement and reduce the impact on the countryside particularly if there are exceptional cases where new or replacement buildings are involved.

Furthermore, Policy 26 of the HDPF states that outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of rural areas. In addition, proposals must be of a scale appropriate to its countryside character and location. 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.

Paragraph 83 of the NPPF states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; the development and diversification of agricultural and other land-based rural businesses; sustainable rural tourism and leisure development which respect the character of the countryside; and the retention and development of accessible local services and community facilities. Paragraph 84 continues that planning decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable. The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

The Horsham District Hotel & Visitor Accommodation Study (2016) highlights a wide range of hotel and visitor accommodation development opportunities in the rural parts of the District, with the provision of holiday let accommodation at the site likely falling under the classification of "high quality holiday

cottages" or "small holiday lodge/eco lodge complexes/parks, with lodges for ownership and/or rental, if acceptable in planning terms". While there is a District-wide requirement for additional tourism and visitor accommodation, the Study makes it clear that this requirement is much more specific than the simple provision of additional lettings. Small holiday lodges, such as the holiday units proposed, must still be considered acceptable in planning terms. The Study also highlights the requirement for holiday lets in or near to the South Downs National Park, however, the application site is some considerable distance from the National Park, so weight cannot be apportioned in this respect.

As indicated by the Horsham District Hotel and Visitor Accommodation Study 2016, there is an identified need for tourist accommodation within the rural parts of the District, where the proposal would be well-connected to the public rights of way network, and would be of a scale and nature that would be appropriate to the character of the area. The proposal would contribute to the wider rural economy and would improve the range and quality of facilities for visitors. While it is recognised that there would be some dependence on the car to access facilities and services, this would not be unusual for accommodation of this type, and is not considered to amount to a level or intensity of activity that would result in adverse harm to the countryside location. For these reasons, the proposed development is considered acceptable in principle, subject to all other material considerations.

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 proposal seeks to convert 2no. existing buildings to provide residential accommodation limited to holiday let purposes. No external alterations are proposed to the buildings, albeit that the roof and windows/doors would be replaced to the storage building.

The buildings form an existing feature within the landscape, with the overall character and appearance of the buildings retained. These buildings are considered to sit appropriately within the context of the site and surroundings, and due to the limited physical alterations, it is not considered that the proposed conversion would result in material harm. The proposal is therefore considered to comply 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 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.

The application site is located at a distance of approximately 100m from the nearest residential properties located to the east of the site. It is recognised that occupiers of the holiday-lets would likely pass these residences to gain access.

Given the distance from the nearby residential properties, and in consideration of the intended purpose, it is not considered that the proposal would result in a demonstrable increase in activity or a level of noise and disturbance that would detract from the generally residential character of the immediate surroundings. It is not therefore considered that the proposal would result in harm to the amenities of nearby residential properties.

Highways Impacts:

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

Policy 9 of the West Grinstead Neighbourhood Plan states that proposals for leisure development should include on site parking provision.

The proposal would utilise the existing accesses, and would accommodate 2no. parking spaces for each unit. No alterations are proposed to the access or track, and as such the proposal is not considered to result in harm to the function or safety of the public highway network, in accordance with Policy 41 of the HDPF.

Ecology:

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 Applicant submitted a Preliminary Roost Assessment by Arbtech dated 19.06.2023. This outlines that bats are unlikely to be roosting within the single storey storage barn and it is not anticipated that there would be impacts on roosting bats as a result of the interior works and roof renovations. The proposed development would also not result in the removal of any habitats which could be used by foraging or commuting bats. The Report recommends biodiversity enhancement opportunities including the installation of bat boxes and the planting of native tree, shrub and hedgerows.

Following consultation with the Council's Ecology Consultant, it is considered that sufficient information has been submitted, with the recommendations contained within the Report considered appropriate. It is recommended that the biodiversity enhancement measures be secured by condition, and it is considered that this would be reasonable. Subject to such condition, no concerns are raised with respect to ecology.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

It is outlined that the water consumption for each holiday-let would be 65.37 litres per day, and this would be achieved through the installation of water efficient fixtures and fittings, including dual flush toilets, flow limited taps, low-flow shower, and water efficient dishwasher and washing machine. The Water Neutrality Statement contains a schedule of these fixtures and fittings.

Following amendments to the Water Neutrality Statement, the existing baseline of the 2no. buildings subject to conversion has been confirmed to be zero (0).

The existing baseline of Bentons Cottage (existing dwelling) has been based on water bills over the last 3 years. These water bills vary in consumption per billing period, with an average daily water consumption calculated as 685.97 litres per day. The Water Neutrality Statement confirms that there are 4 individuals occupying Bentons Cottage, with the daily per person consumption being 171.49 litres per person per day.

Table 2 contained within the Water Neutrality Statement outlines the Water Efficiency Calculator for the proposed holiday-lets. This indicates that water efficiency measures including dual flush toilet, low flow taps and shower, and water efficient dishwasher and washing machine would be installed. Subject to these efficiency measures, it is indicated that the water demand arising from each individual holiday-let would be 65.37 litres per person per day. The average occupancy of 1.32 for a 1-bed dwelling has been applied, with the total daily water use for each holiday-let calculated to be 86.29 litres per day.

The 2no. holiday-let units would therefore amount to a total water demand of 172.57 litres per day.

The Water Neutrality Statement proposes off-setting through the flow limiters to, or replacement of, shower heads within the existing dwelling of Bentons Cottage. The existing showerheads have been surveyed, with the main shower having a flow rate of 17.7 litres per minute and the ensuite shower having a flow rate of 18.4 litres per minute. The flow restrictor or replacement shower head is proposed to be 9 litres per minute, with the Retrofit Calculator contained in Table 4 indicating a saving of 46.12 litres per person per day. Based upon 4 individuals occupying Bentons Cottage, the total saving would be 184.48 litres per day.

The mitigation measures proposed would reduce the water consumption of the proposed residential accommodation, with the off-setting through the installation of rainwater harvesting to accommodate the drinking water and washing of the horses considered to address the water demand. Subject to the water strategy as proposed within the Water Neutrality Statement, along with conditions, the development is considered to be water neutral.

An Appropriate Assessment has been undertaken, where it has been concluded that subject to the mitigation and off-setting measures as outlined within the Water Neutrality Statement, the development would not have an adverse effect on the Integrity of the Arun Valley SAC/ SPA /Ramsar site, either alone or in combination with other plan and projects. Natural England have reviewed the water strategy and have concurred with this Assessment.

Subject to the mitigation and offsetting measures being secured by condition, 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.

Climate change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.

Should the proposed development, the following measures to build resilience to climate change and reduce carbon emissions would be secured by condition:

- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Opportunities for biodiversity gain
- Cycle parking facilities
- Electric vehicle charging points

Subject to these conditions, the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Other Matters:

It is recognised that the application site is located within 60m of the Dial Post Wastewater Treatment Works, where Southern Water have indicated potential impact from odour. It is however recognised that the site is located within close proximity of a number of residential properties, where these are located within similar distance to the Wastewater Treatment Works. There is no evidence of any odour complaints from these properties in the past and no objections have been received from the Environmental Health Team in this regard.

Given the nature of the proposed occupation, being for short-term holiday-lets, and when considered alongside the existing dwellings within similar proximity, it is not considered that a reason for refusal on the grounds of amenity impact could be substantiated.

Conclusions:

The proposed use for holiday-let accommodation is considered to support rural economic development within the District and contribute to the wider provision of tourist accommodation within the District. The proposal is not considered to result in harm to the character of the semi-rural area, and is considered to be of a nature and scale that would not result in harm to the amenities of neighbouring properties. As such, the proposal is considered to accord with policies 1, 2, 11, 25, 32, 33, 41, 42, and 43 of the Horsham District Planning Framework (2015).

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	134.07	134.07	0
	Total Gain		
	Total Demolition		

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

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 Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** No development shall commence until a Biodiversity Enhancement Layout Plan for Protected and Priority Species, providing the finalised details and locations of the enhancement measures contained within the Preliminary Roost Assessment (Arbtech Consulting Ltd. June 2023) has been submitted to and approved in writing by the Local

Planning Authority. The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 5 **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Neutrality Statement reference AEG2527_RH13_Dailpost_Bentons Cottage_07_WNS by aegaea dated 26.06.2023 and received 29.06.2023). No holiday-let hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that holiday-let has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: 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 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 6 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve the holiday-lets have been implemented in accordance with the approved details as shown on the approved Site Plan and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with the approved Site Plan. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for the holiday-lets in accordance with the approved Site Plan. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for both holiday-lets has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 10 **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).

- 11 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in Preliminary Roost Assessment (Arbtech Consulting Ltd. June 2023).

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority Habitats & Species).

- 12 **Regulatory Condition:** The residential accommodation hereby permitted shall, when occupied as holiday accommodation be managed in accordance with the following:

- i) The accommodation shall be occupied for holiday and short-term let purposes only;
- ii) The accommodation shall not be occupied as a person's sole, or main place of residence;
- iii) The accommodation shall not be occupied by any one person for a period exceeding 28 days in any calendar year;
- iv) The accommodation shall at all times be managed and supervised by Bentons Cottage;;
- v) The owners / operators shall maintain an up-to-date register of the names of all owners / occupiers of the accommodation on the site, and of their main home addresses, and shall make this information available to the Local Planning Authority upon request.

Reason: To maintain the availability of the site as short term holiday tourist accommodation in accordance with Policies 10, 11 and 26 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** The holiday-let accommodation hereby permitted shall only be occupied/operated as holiday accommodation and shall not be occupied by an individual, family or group for more than 4 consecutive weeks in any 8 week period commencing with the first day of letting or by an individual, family or group for more than 4 weeks in any 26 week period commencing with the date of the first letting to their individual family or group.

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, 28 and 33 of the Horsham District Planning Framework (2015).

- 14 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, AA, B, C, D, F, and G of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest 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/23/1069Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Location plan	Location Plan	NONE	28.07.2023
Site plan	Site Plan	NONE	25.05.2023
Elevation & Floor plan	Unit 1 Elevations & Floor Plans	NONE	25.05.2023
Elevation & Floor plan	Unit 2 Elevations & Floor Plans	NONE	25.05.2023
Supporting Statement	Water Neutrality Statement by aegaea dated 26.06.2023	AEG2527_RH13_Dailpost_Bentons Cottage 07_WNS	25.05.2023

DELEGATED

Case Officer sign/initial Tamara Dale Date: 15.08.2023

Authorising Officer sign/initial RHERMITAGE Date: 15.08.2023