Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1441
Rookery Wood, The Coach House, Five Oaks Road, Slinfold, West Sussex, RH13 0RQ

DESCRIPTION:

Erection of a double garage with office space above.

RELEVANT PLANNING HISTORY:

DC/14/2626	Non-material amendment to DC/14/1849 (Double storey rear extension with hipped roof (to reflect existing roof) with 2 no. single storey flat roof rear extension) to replace 2 no. ground floor flank windows with a folding door set to each side	Application 17.12.2014.	Permitted on
DC/14/1849	Double storey rear extension with hipped roof (to reflect existing roof) with 2 no. single storey flat roof rear extension	Application 17.10.2014.	Permitted on
DC/14/1053	Conversion of a timber frame, timber clad building to a residential annexe on an existing concrete slab situated toward the rear of the main house	Application 18.07.2014.	Refused on
DC/08/1249	Retention of stable block and hardstanding	Application 29.07.2008.	Permitted on

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

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

Slinfold Neighbourhood Plan (2014-2031):
Policy 5 – Development Principles

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:

HDC Arboriculture: Advice/ No Objection: -
The property is subject of landscape constraints in respect of both trees subject of Tree Preservation Orders on and adjacent to the site (Ref: TPO/1269 and 1271) and a large block of Ancient Woodland (AW) (Rookery Wood) bounding the site to the East.

The AW is unaffected by the proposal.

From my observations, the 6m separation from the nearest mature TPO pine tree to the garage flank elevation depicted on the submitted plan is acceptable in principle to avoid undue rooting harm, subject to appropriate tree protection measures being implemented and maintained for the duration of the development process.

The proposed new 1.8m fenceline is within the recommended root protection area of several of the mature TPO trees. In order to avoid unnecessary root disturbance/damage associated with the new post holes, the implementation requires careful excavation by hand to avoid major roots and ensure smaller roots are cut cleanly and not exposed to wet concrete.

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:
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

The application has been assessed on the basis of the submitted details, together with the planning history of the site and adjoining properties, available images and photographs supplied by the agent, and a site visit conducted by Council Officers. These details were considered sufficient to allow the application to be properly considered and determined.

Character and Appearance

Policy 28 of the HDPF ensures that development outside of the defined built-up areas will only be supported if it can be accommodated appropriately within the curtilage. With garages needing to have regard to the dwelling they serve and be grouped with the house. The use of ancillary accommodation as a separate dwelling will not be supported.

Policy 32 and 33 of the HDPF seeks 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.

Rookery Wood, The Coach House, is a two-storey dwelling located outside the built-up area boundary of Slinfold. The application site benefits from a sizeable curtilage, which extends towards the south, where there is an existing stable block. The application proposes to erect a double garage with office space above and installation of roadside fencing.

The proposed double garage would sit forward of the building line, against the west boundary with Rookerywood, approximately 2m away, with an external staircase for access to the office above. There would be sufficient curtilage space to accommodate the garage, with it located 6m away from the nearest TPO tree. The garage would be 6m x 6m, with one enclosed part, with a garage door, and another open bay space. Two dormers are proposed on the front elevation, providing light as well as head space, within the office space. There would also be a window which faces towards the road to the north. It is not considered that this would raise any overlooking concerns, as mature boundary treatment, screens views towards Manor Cottage and White Cottage, which are also located a sufficient distance away. The materials are also considered appropriate and would be reflective of the surroundings. There are no facilities proposed within the garage, so the building is considered an incidental use, which would appear subservient to the main dwellinghouse, as per Policy 28 of the HDPF.

A new timber fence would replace the existing fence, extending 15.4m either side of the entrance gate. The fence would be approximately 1.8m in height, this would be in-keeping with other timber fences within the area, reflective of the fences at Manor Cottage and White Cottage which sit opposite the site. The location of the fence would be within the root protection area of several of the TPO trees, with the Arboricultural Officer recommending a condition to ensure that careful excavation is undertaken to avoid major roots.

The proposal would be a clearly subservient addition and is considered to be of a design, form and scale which is appropriate to the character and appearance of the existing dwelling, and which would not harm the character or appearance of the wider area. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

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.

Due to the location, detached nature and distance of the dwelling from neighbouring amenities, it is considered that the proposal would not result in unacceptable harm to neighbouring amenity, in accordance with the above policy.

Arboricultural Impact

The site abuts an area of Ancient Woodland – Rookery Wood – and also has a number of TPO's towards the front of the site. The Arboricultural Officer was consulted and had no Arboricultural objection in principle subject to conditions to control potential impacts on trees. The Ancient Woodland would be unaffected by the proposal, and the garage would be positioned 6m away from the nearest mature TPO, so this is acceptable in principle. The proposed fencing would be within the recommended root protection area of several of the TPO trees, and to ensure unnecessary root disturbance/damage, careful excavation should be undertaken by hand to avoid major roots and ensure smaller roots are cut cleanly.

Parking and Highways

Policy 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users. In addition, Policy 41 states that adequate parking and facilities must be provided within development to meet the needs to anticipated users.

The dwelling benefits from a sizeable driveway which can accommodate a surplus of vehicles. The proposed garage would provide one enclosed parking space and one open bay, which can accommodate 2 vehicles. Therefore, there would be an abundance of car parking space which would meet WSCC parking guidance and is considered sufficient for a dwelling of this size and in accordance with 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.

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 **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, including ground clearance, or bringing equipment, machinery, or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- The pine trees adjacent to the roadside subject of Tree Preservation Orders as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). The fencing shall be erected within 1m of the proposed build footprint.
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access and shall not be used for the storage of materials, equipment, or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Excavation for the post holes for new fencing must be carried out by using hand tools only. The resultant pit must then be lined with plastic sheeting or similar impervious material prior to backfilling, to avoid leaking of toxic material harmful to tree roots i.e., cement etc. No roots over 25mm in diameter shall be severed without prior agreement with the Local Planning Authority Tree Officer. Roots of less than 25mm should be cut cleanly with secateurs at pit edges.

Reasons: 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 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).

5 **Regulatory Condition:** The garage hereby permitted shall be used solely for purposes incidental, as a garage and office, to the occupation and enjoyment of the residential property at Rookery Wood, The Coach House, Five Oaks Road, RH13 0RQ. The garage shall not be used as a separate unit of accommodation, as primary living accommodation, for any commercial purposes or for any other purpose(s) /use(s).

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites, as the establishment of an additional independent unit of accommodation, additional living accommodation, commercial use or any other use(s) 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 26, 28, 31 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/24/1441

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Block plan		RW-DG_P_01	19.09.2024
Elevation & Floor plan	Proposed section and roof	RW-DG_P_02	19.09.2024
Layout plan	Proposed	RW-DG_P_03	19.09.2024
Elevation & Floor plan	Proposed fence	RW-DG_P_04	19.09.2024
Location plan		RW-DG_EX_01	19.09.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 11.11.2024

Authorising Officer sign/initial RHERMITAGE Date: 03.12.2024