DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/0239
Averys , Bolney Road, Cowfold, West Sussex, RH13 8AZ

DESCRIPTION:

Demolition of existing outbuilding and erection of a single storey outbuilding to form a garden and machinery store, tool store, 2 bay car park and log store with a home office in the roof space.

RELEVANT PLANNING HISTORY:

DC/23/0637	Erection of a single storey side extension to existing residential annexe and associated alterations.	Application Permitted on 01.09.2023

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

Neighbourhood Plan:
Cowfold 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.
Policy 9 – Residential Development Principles

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:

HDC Conservation Officer: No Objection

Averys is named as Avery's Farm on the late-nineteenth century O.S. County series maps. The exterior of the principal range appears little changed from this time and reflects a late eighteenth or early nineteenth century farmhouse. Satisfied it has historic interest and should be considered a non-designated heritage asset.

The proposed replacement of the nineteenth century stable block is not contentious. The block may appear on the late nineteenth century O.S. map editions but appear to have been consumed by a much larger covered area in the early twentieth century. The building has little historic interest in its own right. The proposed replacement building reflects a traditional rural building that would not be unexpected in this context. Satisfied the proposal will not result in harm to the setting of the adjacent listed building or Averys.

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.

Nature Space Newt Officer: No Objection – informative attached below.

Archaeological Specialist: No Objection

Although the site is within an Archaeological Notification Area DWS8950 - Avery Farm Medieval to Post-Medieval Historic Farmstead, Cowfold - the greater part of the proposed new build will be within the footprint of the current outbuilding that is to be demolished and that will have disturbed any archaeological remains that may have been present. We therefore have no archaeological recommendations in this case.

Parish Comments:

None received

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. These details were considered sufficient to allow the application to be properly considered and determined.

Character and Appearance

Policy 28 of the Horsham District Planning Framework (HDPF) relates to house extensions, ancillary accommodation, and garaging in the countryside and seeks to ensure they can be accommodated appropriately within the curtilage of the existing dwelling and are not disproportionate in relation to the existing. 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.

Policy 9 of the draft Cowfold Neighbourhood Plan states that residential development proposals will be supported where they are within the built-up area of Cowfold and are of a sympathetic scale, relating positively to the character function and layout of the area. Development should incorporate the use of high quality building materials and finishes.

Averys is a detached dwelling located outside the built-up area of Cowfold. The dwelling sits within a small group of houses situated to the east of Cowfold village on the Bolney Road. The existing outbuilding sits within a large curtilage and is positioned 11m away from the main dwelling and 35m from the highway. The site has been granted previous planning permission under Ref: DC/23/0637 for *'Erection of a single storey side extension to existing residential annexe and associated alterations'*. The current application seeks to remodel the existing outbuilding (referred to as an annexe in the previous planning application), to create a subtle "L" shape and demolish the existing single storey rectangular building, which would be attached to the approved planning permission mentioned above.

It is noted that there is sufficient boundary treatment which restricts views of the outbuilding from public vantage points. The proposed development would be reflective of a rural and traditional vernacular, and is considered to be of a design and form that would sympathetically relate to the character and visual amenity of the non-designated heritage asset.

The plans submitted indicate that the resulting building would be ancillary to the main dwellinghouse and it is considered reasonable and necessary to secure this by condition. It is considered that the current form reflects the character and interest of the building, with the resulting development remaining subservient to the existing dwelling and sitting comfortably within the residential curtilage.

The proposal would reflect the rural character and appearance of the existing building. The resulting building would remain in keeping with the other buildings within Averys curtilage, and the character and appearance of the development is considered appropriate and is not considered to harm visual amenity of the wider area. It is 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.

Policy 9 of the draft Cowfold Neighbourhood Plan states that residential development proposals will be supported where they maintain appropriate distances between buildings to avoid unacceptable adverse impacts on existing facilities or amenity of adjacent residential properties.

The building is well-contained within the curtilage, with the site benefitting from a sizeable curtilage and sufficient boundary treatment to ensure screening to nearby amenities. It is considered that the siting and layout of the extensions and alterations and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Water Neutrality

The development would remain functionally associated with the main dwelling, and it is considered that 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.

Other Matters

It is noted that the application site falls within the red zone for Great Crested Newts, where ponds are located in excess of 50m from the site. Given the existing nature of the site, it is not considered that the proposal would impact upon suitable habitat, and no concerns with respect to Great Crested Newts are anticipated. An informative related to Great Crested Newts can be found below.

It is noted that several conditions have been recommended by the Design and Conservation Officer. These are not however considered reasonable or necessary, with a condition requiring the submission of a schedule of materials and finishes considered appropriate.

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 (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: The detached outbuilding hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of Averys, Bolney Road, Cowfold and shall not be used as a separate unit of accommodation.

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).

NOTE TO APPLICANT
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.

Plans list for: DC/24/0239
(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		NONE	12.02.2024
Site plan	Location Plan	DENRA/1989/4	12.02.2024
Floor plan	Existing Floor Plan	DENRA/1989/1	12.02.2024
Elevation plan	Existing Elevations	DENRA/1989/2	12.02.2024
Elevation & Floor plan	Proposed Residential Garage and Storage Building with Room in Roof Space	DENRA/1989/3	12.02.2024

DELEGATED

Case Officer sign/initial Shazia Penne Date: 08.04.2024

Authorising Officer sign/initial Tamara Dale Date: 18.04.2024