Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0529
Yew Tree Cottage, West Chiltington Lane, Coneyhurst, West Sussex, RH14 9DN

DESCRIPTION:
Erection of an outbuilding at land adjacent to Yew Tree Cottage.

RELEVANT PLANNING HISTORY:

PE/23/0261	Erection of artic cabin and outbuilding to land adjacent to Yew Tree Cottage.	Pre-Application Advice Given on 18.03.2024
DC/08/0543	Demolition of outbuildings and carport and construction of new single storey outbuilding and carport (Listed Building Consent)	Application Permitted on 16.04.2008
DC/08/0542	Demolition of outbuildings and carport and construction of new single storey outbuilding and carport	Application Permitted on 17.04.2008
BL/26/94	2-storey & ground floor extensions (listed building consent) Site: Yew Tree Cottage West Chiltington La Coneyhurst	Application Refused on 04.05.1994
BL/25/94	2-storey & ground floor extensions Site: Yew Tree Cottage West Chiltington La Coneyhurst	Application Refused on 04.05.1994
BL/28/86	Dormer window. Comment: Listed building consent. (From old Planning History)	Application Permitted on 12.04.1986
BL/99/85LB	Alterations. Comment: Listed building consent. (From old Planning History)	Application Permitted on 16.12.1985
BL/28/83	One mobile home. (From old Planning History)	Application Permitted on 02.04.1983
BL/6/76	Double garage. (From old Planning History)	Application Permitted on 24.03.1976

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 25- Strategic Policy: The Natural Environment and Landscape Character
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 34- Cultural and Heritage Assets

Policy 40- Sustainable Transport
Policy 41- Parking

Billingshurst Parish Neighbourhood Plan 2019 – 2031
Bill 2 - Housing Design and Character

Billingshurst Parish Design Statement

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 Conservation Officer: No Objection.

HDC Arboriculture: No Objection.

Environment Agency: No Objection, condition recommended.

NatureSpace (Great Crested Newt Consultant): 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:
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 site is to the west side of West Chiltington Lane in a rural countryside location. Yew Tree House is a Grade II listed building set within an elongated plot which extends to the south of the dwelling, a stretch of the River Adur passes through the plot and trees and vegetation provide intermittent screening of the site. The site contains an existing single storey garage outbuilding located in the northern end of the site permitted in 2008 with adjacent outbuilding and shed. The site is within a Flood Zone 3 and 2.

Planning permission is sought to erect a single-storey ancillary outbuilding adjacent to the main dwelling (approximately 25m southwest of the main dwelling) forming an artic cabin with a timber bridge access over the river running through the garden.

The timber bridge access will form a veranda and the outbuilding to be L-shaped providing sitting room space and a gym area. The structure will be raised above the riverbank on stilts to provide clearance. Gross internal to be 30m2. The L-shaped building to be 7.9m width, and depth at its widest southern side to be 5.4m. The roof to be pitched on all sides. The timber veranda bridge over the river 3.5m wide and 3.1m depth. Proposed finish floor level to be 1.05m above existing ground level to provide levelled access via bridge to minimise flood risk.

Materials details were submitted in detail on 28.5.2024 to consist of black stained timber fascia/barge boards to match existing outbuilding. Clay Plain Roof Tiles to match existing outbuilding and dwelling. Redland Rosemary Clay Half Round Ridge roof tiles to match roof tiles. Redland Rosemary Clay Bonnet Hip to match roof tiles. Exposed Rafter Feet. Black Flush Timber Frame Casement windows and doors. Black cast aluminium gutters and rainwater pipes to match existing outbuilding and dwelling. Timber ballustrade to match proposed timber bridge.

Character and Appearance

Policy 28 of the Horsham District Planning Framework (HDPF) relates to extensions and redevelopment of dwellings in the countryside and is therefore considered to be relevant to the current application. Policy 28 states 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."

Policy 34 of the HDPF recognises the importance of heritage assets and requires that proposals make reference to the significance of heritage assets by making a positive contribution to the character and distinctiveness of the area, ensuring that development is consistent with the special character of those areas.

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

Policy Bill 2 of the Billingshurst Neighbourhood Plan states that development should be guided by the Billingshurst Parish Design Statement and, where practicable, incorporate features as appropriate to their scale and nature into the overall design of development.

Yew Tree Cottage is a listed building but does not appear to have been a farmhouse and there are no associated ancillary structures shown on the early O.S. maps of the late nineteenth century. It may have been an artisan's dwelling or part of a larger farm estate and used as housing for laborers. In any case it would have been occupied by families with connections to a worked agricultural landscape and it would not be unexpected to see ancillary agricultural building within the curtilage. The proposed building is reflective of a traditional rural building and would not be an unexpected structure within the curtilage of the cottage. It will reflect a traditional ancillary building and will not interfere with an understanding or appreciation of the historic context of the principal dwelling. As a result there would be no adverse impact on its setting.

The property has a number of retained trees on either side of the stream and to the boundaries that make a positive contribution to the landscape character. It is considered that the location and type of engineering required to achieve the structure will not foreseeably have any significant impacts on the key rooting areas of the principal trees. The design of the structure on stilts limits excavations within close proximity to retained trees and no arboricultural concerns are raised in respect of foreseeable impacts on trees of significant landscape merit.

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.

It is considered that the siting and layout of the proposed outbuilding, separation distances and screening and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Flood Risk

The site is within a Flood Zones 2 and 3 and an area of potentially high flood risk. An initial Flood Risk Assessment was submitted on 5.4.2024 and was consulted with the Environment Agency. The initial submitted FRA was considered to not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change Planning Practice Guidance and its site-specific flood risk assessment checklist.

A Revised Flood Risk Assessment was subsequently provided which is considered to satisfactorily address earlier concerns and ensure the development accords with relevant policies relating to flood risk. A condition is recommended to ensure the outbuilding is not used for primary accommodation and this approach would ensure the proposal would not result in increased flood risk for occupants of the site or adjoining land and properties.

Water Neutrality

Given that the proposed development shall only be used for less vulnerable leisure activity and not as habitable accommodation, and conditioned as such to any approval, 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:

While the application site is within the amber Impact Risk Zone for potential impact on Great Crested Newts the nature of the development would not be considered to impact on great crested newts or their habitats.

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 **Regulatory Condition**: The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall strictly accord with those indicated on the materials specifications submitted 29.05.2024.

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

4 **Regulatory Condition**: The development hereby permitted shall be used solely for incidental purposes as indicated on the approved plans and the Flood Risk Assessment dated 28/05/24. The development shall not be used for any other purpose(s), including as primary living accommodation, without the prior written consent of the Local Planning Authority by way of a formal application.

Reason: To ensure the safety of users and reduce the risk of flooding to the proposed development and future occupants, ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites, and in accordance with Policy 31 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework (NPPF).

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/24/0529

(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
Design & Access Statement		NONE	05.04.2024
Location plan		894.00 REV P1	05.04.2024
Block plan		894.01 REV P1	05.04.2024
Site plan		894.04 REV P1	05.04.2024
Site plan		894.03 REV P1	05.04.2024
Elevation plan	Proposed	894.05 REV P1	05.04.2024
Floor plan	Proposed roof	894.06 REV P1	05.04.2024
Site plan	Existing	894.02 REV P1	05.04.2024
Supporting Statement	Heritage	NONE	08.04.2024
Supporting Statement	Flood Risk Assessment - Revised	NONE	28.05.2024
Plans	Materials details		28.05.2024

DELEGATED

Case Officer sign/initial Steve Astles Date: 19.06.2024

Authorising Officer sign/initial Guy Everest Date: 26.06.2024