Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1636
Horelands, West Chiltington Lane, Broadford Bridge, West Sussex, RH14 9EA

DESCRIPTION:

Replacement of flat roof dormer with smaller pitched roof dormer. Porch roof alteration and replacement of windows (Householder Application).

RELEVANT PLANNING HISTORY:

DC/19/1680	Installation of a wooden office to the rear of existing garden garage	Application Permitted on 12.12.2019
DC/24/1637	Replacement of flat roof dormer with smaller pitched roof dormer. Porch roof alteration and replacement of windows (Listed Building Consent).	Pending Consideration

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

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 9: Water Neutrality
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

Neighbourhood Plan:
West Chiltington Neighbourhood Plan has been submitted in draft form. The Council is in the process of considering whether the plan meets the Basic Conditions and can progress to Regulation 16 consultation and formal examination.

West Chiltington Common 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: No Objection, conditions recommended.

HDC Environmental Health: 'No comments'

Ecology Consultant: No Objection with conditions recommended.

NatureSpace (Great Crested Newt) Consultant: No Objection
'*The type of development is not considered to be relevant to the District Licensing Scheme in this case and we consider there would be no likely impact on great crested newts or their habitats. I therefore have no comments to make at this time. If the proposal changes, then please seek further advice from me if necessary*.'

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 east side of West Chiltington Lane in a countryside location outside of any BUAB. Horelands is a detached two storey dwelling and is a Grade II listed building. The listing of the property describes: 'C17 or earlier timber-framed building with the timbering exposed, with painted brick infilling in north wall but refaced with brick, not painted, on ground floor and tile-hung above. Hipped tiled roof. Casement windows. Two storeys. Three windows.'

The proposed works consist of:

- Remove the existing 1960 box dormer and replace with a new smaller gable ended pitched dormer

- An existing 1960s constructed porch has a lightweight profiled asbestos roof tile. This is to be removed and disposed by licensed contractor. Timber gallows brackets are then to provide a new roof overhang for porch entrance weather protection. A part hip roof has been designed to match the existing main roof. Cover the new porch roof with second hand plain clay tiles.

- Replace 14 windows as listed on plan with like for like timber and glazed units. 2 Metal crittal windows and 1st floor east timber window need redecorating only.

The following works are proposed and deemed to be repairs not requiring planning permission:

- Strip and salvage the main roof tiles. Remove battens and check on the existing roof structure. Repair any defective timbers once exposed. Leave all timbers where practical in place.

- Both existing lead valleys are perished and leaking. These are proposed to be replaced with clay valley tiles. The lead valleys were added when the 20th century extension was constructed and not an original period feature. Fix existing non spalled roof tiles and replace broken or spalled tiles with second hand clay tiles to match. Foil & felt insulation to be used over rafters. Insulation to be added where practical and ventilation is to be fully maintained.

- Strip and salvage vertical tile hanging on West and East Elevations. Re-fix on new battening with foil breather membrane.

- Remove & replace the plastic 1/2 round black plastic gutter and plastic downpipes with like for like materials. Rectify the ineffective down pipe on the south elevation

- Remove the Asbestos soil & vent pipe on the south elevation and replace with new cast iron effect svp in the same location.

- West elevation ground floor window has major cracked concrete lintel. Whilst works are being done to overhaul the west tile hanging this lintel only is to be replaced. Being a preformed concrete lintel it is not part of the original heritage asset. There is an internal timber support post which has been added at some point in time to support the floor beam which bears directly over the window. The replacement lintel is to help to provide additional support to this load.

Character, Appearance and Heritage Impacts:

Policy 34 of the Horsham District Planning Framework (HDPF) (2015) seeks to sustain and enhance the historic environment through the positive management of development affecting heritage assets. 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.

The application has been consulted with the HDC Conservation team and it is considered that it is clear that the building has undergone alteration and extension in the mid-twentieth century. Some of these alterations are exacerbating the deterioration of the building and the proposal to undertake necessary

repairs and alterations to make the roof more robust against increasing rainfall is fully supported. The proposed alterations will not harm the character, appearance or special interest of the listed building.

The proposals would be 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 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.

There are no nearby adjacent neighbouring property and it is considered that the siting and layout of the proposed extension and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Ecology

Bat Roost Assessment and Bat Emergence Survey Report (prepared by Lizard Landscape Design and Ecology, October 2023) has been supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats, and identification of appropriate mitigation measures. The HDC Ecology advisors have been consulted and it is noted that Building B01 (dwelling) has high bat roost potential and that a single Common Pipistrelle bat day roost was recorded in the hanging tiles on the southern aspect of the building during the emergence survey in September 2024. It is noted that the Bat Roost Assessment and Bat Emergence Survey Report (Lizard Landscape Design and Ecology, October 2023) recommends a bat disturbance notification is submitted to Natural England given the current state of disrepair of the roof and the costs of further surveys. It is recommended that a copy of the derogation or a bat licence if the notification is not issued, is secured by a condition of any consent. The outline mitigation measures in Section 5.2.3 of the Bat Roost Assessment and Bat Emergence Survey Report (Lizard Landscape Design and Ecology, October 2023) are supported.

The site lies approximately 6.7km east of The Mens Special Area of Conservation (SAC) and therefore lies within the 12km Wider Conservation Area for the SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The qualifying feature for the SAC is Barbastelle bats, but there are no records for this species within 2km of the site (Sussex Biodiversity Records Centre (SxBIS) - accessed under licence and MAGIC maps). The site lies approximately 11.7km east of Ebernoe Common SAC and is therefore inside the Wider Conservation Area for this SAC. The site lies approximately 5.4km northeast of the Arun Valley SAC, SPA and Ramsar site.
Two European Protected Species Mitigation License (EPSML) have been granted within 2km of the site: a) 1.5km to the southwest of the site in 2018 for Natterer's bat and b) 2.0km to the northeast of the site in 2013 for Brown Long-eared bat and Common Pipistrelle bat (MAGIC maps). There are over 20 records for bats within 2km of the site, including Common Pipistrelle, Soprano Pipistrelle, Natterer's bat, Whiskered bat and Noctule bat (SxBIS – accessed under licence).

It is understood from the submitted documents that the 0.2 ha site comprises a residential property and two outbuildings, scattered trees, surrounding hedgerows and a pond. The proposals will impact only the 2-storey dwelling on site and all trees and hedgerows will be retained. Therefore, there will be no severance to the flight lines of foraging or commuting bats from the SAC and habitat connectivity within the site will be maintained, and the development has been screened out on this basis.

The mitigation measures identified in the Bat Roost Assessment and Bat Emergence Survey Report (Lizard Landscape Design and Ecology, October 2023) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality. In addition, the proposed reasonable biodiversity enhancements for protected species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 180d and 186d of the National Planning Policy Framework (December 2023)., are also supported.

For these reasons, subject to conditions securing the mitigation and enhancement measures, the proposal would result in no adverse ecology impact.

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 **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:** Before any work begins on site, the person(s) responsible for supervising the works must meet the conservation officer of the Local Planning Authority, on site or as otherwise agreed, to confirm that all the conditions attached to the listed building consent are understood and can be fully complied with.

Reason: As this matter is fundamental to ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement Condition**: Any works which will impact the breeding / resting place of bats, shall not in in any circumstances commence unless the local planning authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or
c) a derogation to disturb bats issued by Natural England under Wildlife & Countryside Act 1981 (as amended) authorising the specified activity/development to go ahead; or
d) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence."

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

5 **Pre-Commencement (Slab Level) Condition**: A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Bat Roost

Assessment and Bat Emergence Survey Report (Lizard Landscape Design and Ecology, October 2023), shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (as amended).

6 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Roost Assessment and Bat Emergence Survey Report (Lizard Landscape Design and Ecology, October 2023), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

7 **Regulatory Condition:** The new dormer roof junctions at ridge, valleys, eaves and verges shall be built to reflect traditional detailing including exposed rafter feet, cut verges, valley tiles and hogs back or half round ridge tiles.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition:** The replacement windows hereby permitted shall have timber casements flush fitted with their frames. The windows shall not be fitted with trickle vents or lead applied to the face of the glass.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT
The Applicant is advised that all new and replacement rainwater goods should be cast iron or cast aluminium.

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/24/1636
(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
Supporting Statement	Bat Roost Assessment and Bat Emergence Survey Report by Lizard dated 16.10.2023	LLD3345-ECO-REP-001-00-PRA	21.10.2024
Location plan	Location Plan	NONE	21.10.2024
Location & Block plan		D 0924/715/01	21.10.2024
Floor plan	Existing Ground Floor	D 0924/715/02	21.10.2024
Floor plan	Existing First Floor	D 0924/715/03	21.10.2024
Floor plan	Proposed First Floor	D 0924/715/04	21.10.2024
Roof plan	Existing Roof	D 0924/715/05	21.10.2024
Roof plan	Proposed Roof	D 0924/715/06	21.10.2024
Elevation plan		D 0924/715/07	21.10.2024
Elevation plan		D 0924/715/08	21.10.2024
Elevation plan		D 0924/715/09	21.10.2024
Elevation plan	Existing Elevations	D 0924/715/10	21.10.2024
Elevation plan	Proposed Elevations	D 0924/715/11	21.10.2024
Elevation plan	Principle Elevation West	D 0924/715/12	21.10.2024
Elevation plan	South	D 0924/715/13	21.10.2024
Elevation plan	East	D 0924/715/14	21.10.2024
Elevation plan	North	D 0924/715/15	21.10.2024

DELEGATED

Case Officer sign/initial Steve Astles Date: 10.12.2024

Authorising Officer sign/initial Tamara Dale Date: 16.12.2024