Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0426
Lion Lodge, Bashurst Hill, Itchingfield, West Sussex, RH13 0PB

DESCRIPTION:
Erection of detached outbuilding.

RELEVANT PLANNING HISTORY:

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|---|---|---|
| DC/22/0206 | Application to confirm the use of a building as a single dwellinghouse began more than four years before the date of this application (Lawful Development Certificate - Existing). | Application Permitted on 14.04.2022 |
| DC/24/0775 | Roof extension at the front of the property to create a covered parking space. | Application Permitted on 13.08.2024 |

RELEVANT PLANNING POLICIES
**The National Planning Policy Framework (NPPF)**

**Horsham District Planning Framework (2015)**:
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

**Neighbourhood Plan**:
Itchingfield 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. The following policy is of significant weight subject to water neutrality being demonstrated: -

Policy 12: Design of housing

**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 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

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 Arboriculture**: Advice

**Great Crested Newts Consultant**: Advisory

**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:
Itchingfield Parish Council would like to make the following comment: Itchingfield Parish Council cannot find either on the plans or planning statement provided, or on google earth, a structure that is of similar dimensions to the proposed structure and no details are given regarding the use and dimensions of the existing structure. The following matters need to be addressed by the application which are relevant to gaining planning permission:

1. A toilet and washing /shower facilities are shown in the floor plans which will cause an increase in the water usage of the dwelling to which this structure is ancillary. How this extra water usage is to be ameliorated /offset needs to be shown before permission can be given.
2. No details are given regarding the method of achieving foul drainage from the WC proposed and the water from the washing and shower facilities, nor surface and rainwater run-off. This is important as there are already concerns regarding untreated run off from at least one dwelling on the development into a local field drainage ditch. So, this needs to be shown in detail before permission can be given. Itchingfield Parish Council cannot recommend for planning permission until the issues above are resolved.

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 HDPF relates to house extensions and outbuildings in the countryside, stating that ancillary accommodation and garaging must demonstrate that the need for additional space cannot be met from an existing dwelling or buildings suitable of conversion on the site, with new outbuildings sited to have regard to the dwelling they serve and be grouped with the house. The policy also states that the use of ancillary accommodation as a separate dwelling will not be supported.

Policies 32 and 33 of the HDPF seek 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 12 of the Barns Green and Itchingfield Neighbourhood Plan states that development proposals shall, where possible and consistent with other policies in this Plan, be of high quality design and layout; respect the character and scale of the surrounding buildings and landscape; incorporate the use of local materials which are appropriate; and positively respond to the local vernacular character of the Parish.

The application site is situated east of Bashurst Hill outside any built up area and is a countryside location in terms of planning policy. Lions Lodge is a detached bungalow. The dwelling is sited down an access lane which leads to three dwellings, including Lion Lodge.

The application site features an existing outbuilding sited above an existing concrete slab, this outbuilding would be removed with the replacement proposed by this application siting on top of this existing base. The outbuilding would provide a home gym facility with a shower room / WC which, it is understood, would also facilitate occasional overnight use. The proposed building has a modest floor area of approximately 26 sq m and the scale of the structure would be clearly subservient to the principal dwelling, being sited in the location of an existing structure alongside boundary screening. The wider visual impact would be limited due to separation distance and screening to soften any visual impact from the street scene and would not appear intrusive or unduly dominant.

The outbuilding would not be of a scale or layout which would readily allow for independent / self-contained use, with the supporting information and plans indicating an outbuilding which would be dependent upon the main dwelling for primary living accommodation. A replacement outbuilding and use in the manner outlined would not lead to any conflict with Policy 28 of the HDPF.

The location of the outbuilding would have limited impact on the character or appearance of the site and would have a neutral impact on the visual amenities of the locality. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

**Arboriculture**:

There is a significant tree belt in the field to the East in close proximity to the existing structure, and this forms an integral part of the historic field system. There is an existing outbuilding on site that is proposed to be replaced and details of the existing slab that is to be retained have been provided. The new outbuilding would be sited on top of this existing concrete slab / base which would be retained. As such there will be no change to the ground conditions immediately adjoining this tree belt, and no further harm would be expected to result from the proposed development. The proposal would introduce an ancillary use in the outbuilding and does not amount to a change of use of the site, it is not considered any undue pressure for future tree works would be created.

A precautionary condition is though recommended to reduce the possibility of further significant tree root/rooting area damage, and to secure details of tree protection measures for the demolition and re-build and excavations for underground services. This approach is considered sufficient to minimise the possibility of adverse impacts resulting from the development.

**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 outbuilding and the resulting relationship with adjoining properties and land would prevent any unacceptable harm to neighbouring amenity. The use of the outbuilding for ancillary purposes to the main dwelling would not be expected to result in significant potential for harmful levels of noise or disturbance. The amenity impacts are therefore considered acceptable and in accordance with the above policy.

**Water Neutrality**

There is no evidence to suggest the nature and scale of the proposed outbuilding for ancillary use by the occupants of the dwelling 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.

**Biodiversity Net Gain**

In accordance with the Biodiversity Gain Requirements (Exemptions) Regulations 2024, all householder applications are current exempt from the statutory requirement to demonstrate a 10% net gain in biodiversity.

**Other Matters**

The application site is within the red Impact Risk Zone which provides the most suitable habitat and a high risk of great crested newts. It is though considered that the nature of the proposed development is unlikely to have an impact on great crested newts and / or their habitats, with an informative recommended in this regard.

The comments of the Parish Council are noted and the building would raise considerations relating to drainage. The outbuilding would not though be expected to create additional surface water flows above the existing arrangement, given it is to replace an existing structure and is sited on an existing concrete slab. In respect of foul water, while no detail of this has been provided the original permission for the development on the site included a new treatment plant. There is no evidence to suggest this existing arrangement could not accommodate the replacement outbuilding.

**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 demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or

materials onto the site, until an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details.

Reason: 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 used in the development hereby permitted shall strictly accord with those indicated on the approved plans and application form.

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

5 **Regulatory Condition**: The accommodation hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the dwelling Lion Lodge, Bashurst Hill, Itchingfield and shall not be used as a separate unit of accommodation or for commercial purposes.

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 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 28, 31 and 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.

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**Plans list for: DC/25/0426**
(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 |
|---|---|---|---|
| Floor plan | | 22505-04 | 19.03.2025 |
| Elevation & Floor plan | | 22505-05 | 19.03.2025 |

| | | | |
|---|---|---|---|
| Location plan | | 22505-01 | 19.03.2025 |
| Design & Access Statement | | 22505 Rev. A | 15.05.2025 |
| Block plan | | 22505-02 Rev. A | 15.05.2025 |
| Supporting Docs | Application Form | NONE | 19.03.2025 |

**DELEGATED**

Case Officer sign/initial Steve Astles Date: 23.05.2025

Authorising Officer sign/initial Guy Everest Date: 28.05.2025