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DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0123
Lee Place, The Pumphouse , Blackgate Lane, Pulborough, West Sussex, RH20 1DF

DESCRIPTION:

Removal of Condition 3 of previously approved application DC/06/1645 (Re-instatement of dwelling following recent fire damage) to remove ancillary occupation requirement.

RELEVANT PLANNING HISTORY:

DC/07/1315	Single-storey extension to form utility room/porch	Application 02.08.2007	Permitted	on
DC/06/1645	Re-instatement of dwelling following recent fire damage	Application 05.09.2006	Permitted	on

DESCRIPTION OF THE SITE

The Pumphouse is a converted ancillary dwelling situated to the north of the main dwelling at Lee Place. To the east is a part converted (to residential) stables, and to the north of the garden is a private livery building. The Pumphouse is a single storey, four bedroom dwelling with accommodation in the roof. A private garden is situated to the north of the property.

DESCRIPTION OF THE APPLICATION

This application seeks to remove condition 3 of DC/06/1645 to allow the property to be occupied as a residential dwelling without restriction.

Condition 3:

The Pump House shall at all times only be used as accommodation ancillary to the main dwelling, Northwood and Lee Place Farmhouse and shall at no time be used as a separate unit of residential accommodation'.

Reason: To ensure that a separate unit of residential accommodation is not formed which would be contrary to Policy CS1 of the Horsham District Local Plan 1997 and Policy LOC2 of the West Sussex Structure plan.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 30 - Protected Landscapes
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 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

Billingshurst Neighbourhood Plan
BILL1

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 16: protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Policy 32: Conversion of Agricultural and Rural Buildings to Commercial, Community and Residential Uses
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 40: Improving Housing Standards in the District
Policy 46: Ancillary Accommodation

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)

Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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:

INTERNAL CONSULTATIONS

None received

OUTSIDE AGENCIES

Natural England (Standing Advice): Objection

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

PUBLIC CONSULTATIONS:

Representations:

Three letters of Objection have been received from three addresses, objecting to the application on the following grounds:

- Loss of privacy for neighbours
- Drainage and sewage concerns
- Access Drive restrictions
- Cumulative impact of additional development

Parish Comments:

Billingshurst Parish Council: Objection

No basis to remove the condition.

Member Comments:

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

Principle of Development:

Policies contained in the HDPF together seek to guide development to the main towns and villages in the District, in line with a settlement hierarchy. Policy 3 sets out a settlement hierarchy for development. Policy 26 seeks to protect the rural character and undeveloped nature of the countryside against inappropriate development.

The proposal would result in a new self-contained dwelling located outside of any defined built-up area boundary. The site is in a distinctly rural location where access is restricted to public footpaths or unlit country roads. Future occupiers of the development would be heavily reliant on the use of private cars and there would be no reasonable alternative.

Being outside of the built-up area the proposal would conflict with some of the spatial policies of the HDPF and the Billingshurst neighbourhood Plan. Furthermore, the proposal would conflict with policy 26 of the HDPF as it would not be essential to the countryside location. Despite these conflicts the HDPF and NPPF make provisions for the use of existing buildings in such locations.

Policies 2 and 33 of the HDPF encourage the effective use of land by re-using that which has previously been developed. The proposal would make use of an existing ancillary dwelling, supporting the reuse encouraged by these policies. Policy 10 of the HDPF relates to economic development. It does not preclude the conversion of rural buildings, but seeks consideration of business and commercial uses before residential uses.

The use of the property for a permanent residential dwelling would likely result in a similar number of vehicular trips as the approved ancillary dwelling. Furthermore, when considered in the context of the extant permission for ancillary purposes, it would not result in an unsatisfactory relationship between independent units of living accommodation, having it’s own residential curtilage and residential uses immediately neighbouring the property.

It is therefore considered that, on balance, with the council being unable to demonstrate a five year housing land supply, and the building already converted to restricted residential, that sits well within the site, the principle of the removal of the condition is acceptable in this instance.

Design and Appearance:

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape 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.

The removal of condition 3 would have no design or appearance implications. It is noted that the previous application restricted permitted development rights by condition 4 of the planning permission. Having reviewed the proposed curtilage, and given current PPG advice, it is no longer considered that this

condition would be reasonable or necessary. As such, it is considered appropriate to remove this condition as part of the current application.

Residential Amenity:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

Concern has been raised by neighbours in relation to additional traffic and loss of privacy. However, it is not considered that permanent residents would create any additional amenity concerns over and above the permitted ancillary use. This proposal does not increase the size of the dwelling or amend it's position within the site and is not considered to lead to an unsatisfactory relationship between independent units of accommodation or an over-intensive use of the site.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

It is considered that the existing parking area would provide sufficient parking, and use of the existing access is not considered to result in harm to the function or safety of the highway network. Access rights to the track and maintenance are not considered to be a material consideration for this application

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

There are no occupancy restrictions on the existing building apart from the ancillary tie. There is therefore 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 194 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Other Matters:

It is noted that planning permission reference DC/06/1645 included conditions relating to a schedule of materials and samples, no burning of materials on site, and that the existing buildings be demolished and removed. These conditions are considered to have been discharged and are no longer required to make the development acceptable.

Conclusions:

This property is already built and can be occupied immediately as a residential dwelling with acceptable amenity standards, contributing to the council's deficient housing supply position with immediate effect. The Council is unable to demonstrate a five- year housing land supply and paragraph 11d) of the Framework is engaged. It is therefore recommended that condition 3 is removed from the decision.

Recommendation: Application Permitted

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/25/0123
(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	01.04.2025

DELEGATED

Case Officer sign/initial Kate Turner Date: 01.04.2025

Authorising Officer sign/initial Tamara Dale Date: 01.04.2025