Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0568
High Beech, Mill Lane, Lower Beeding, West Sussex, RH13 6PX

DESCRIPTION:
Demolition of existing dwelling and erection of a new residential dwelling and the erection of an office / leisure room.

RELEVANT PLANNING HISTORY:
None

SITE AND SURROUNDS

The application site comprises a detached dwelling located on the north side of Mill Lane, Lower Beeding, east of Crabtree. The High Weald National Landscape sits to the front and rear of the site, but not the site itself. The rear of the site comprises Ancient Woodland. The Leonardslee Register Park and Garden lies approx. 100m to the north. The site falls within the countryside in planning terms, albeit the submission Horsham District Local Plan proposes a secondary settlement boundary for Crabtree which the site would fall within.

The properties along Mill Lane generally benefit from good separation distances between the dwellings although it is noted that there are two pairs of semi-detached dwellings in close proximity to the application site. There is a mix of detached large dwellings, and more modest semi detached houses which sit further forward within their plots. The character of the area in this respect is variable and whilst the dwellings within the road are generally in brick and hanging tile, there are some cases of a mixed palette. The current High Beech property is inconsistent in character currently to the existing dwellings within the streetscene in this respect being in horizontal cladding to the main house and brick garage. The topography of the site slopes upwards towards High Beeches whose principle elevation is set further back within the plot than both neighbours to either side, notwithstanding the garage which projects forward of this elevation.

DETAILED DESCRIPTION

The dwelling would be two storeys in height and would have a basement addition to serve as a plant, store/gym, dog wash room and utility room. The proposed dwelling would be 7.25 metres in ridge height. The materials would be a roof of grey slate tiles and PV panels. The exterior of the dwelling house would be entirely in off white render and the windows would be detailed with stone headers.

One of the existing outbuildings would be removed and replaced with a new garden room that would be served by solar panels and a rainwater harvesting system. The dimensions of the outbuilding would be 10.4metres in width and 5.4 metres in depth. The eaves height would be 2.2 metres and the ridge height would be 3 meters in height. Landscaping details included within the application to demonstrate the addition of hardstanding and removal of existing astroturf.

During the course of the application, an amendment was received to move the outbuilding a further 2.5 metres away from a mature oak tree within the garden.

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 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 41 - Parking

Lower Beeding Neighbourhood Plan:
The Lower Beeding Neighbourhood Plan has undergone examination with a Decision Statement issued confirming that the plan should proceed to referendum. While at present there are no details of this referendum the plan is of some weight with Policy 12, Design, of most relevance.

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:

Southern Water: Standard response available via public access

WSCC Highways: No Objection
No alterations are proposed to the existing access arrangements. The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over a period of the last five years. There have been no recorded injury accidents at the existing access with the public highway, onto Mill Lane. There is no evidence to suggest that the access is operating unsafely, or that the proposal would exacerbate an existing safety concern.

This application is for a replacement dwelling with an associated office/leisure room, the LHA does not anticipate that the proposal would give rise to a material intensification of use of the existing access point. 3 parking spaces exist currently within the frontage parking area with a double garage. The frontage parking spaces are proposed to be retained and the garage demolished. The existing hardstanding is to be made slightly wider with the revised footprint, providing a suitable amount of vehicular parking and turning for a dwelling of this size and location. The WSCC parking demand calculator also outlines that 3 parking spaces would be required to serve a dwelling of this size in this location.

Natural England: Objection

As submitted, the application could have potential significant effects on:
Arun Valley Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:
- Further evidence of the application's existing water use
- Further evidence of water reduction measures as may be required

Without this information, Natural England may need to object to the proposal.

Parish Comments: Support

Representations:
9x letters of support from 7 different addresses. It is understood that the two letters from both Goesedene and Girsedene have been misspelled and are from the address known as 'Gorsedene'.
Reasons for support:
- Design
- Sympathetic to the character of the area

Member Comments:
Cllrs Livingstone requested this application to be heard at committee if Officers were minded to refuse the application.

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:

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development on the main settlements. The HDPF outlines that the proposed settlement hierarchy is the most sustainable approach to delivering housing; where new development is focused on the larger settlements of Horsham, Southwater and Billingshurst; and limited new development is directed elsewhere, and only where it accords with an adopted Neighbourhood Plan. Specifically, Policy 3 of the Horsham District Planning Framework seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations as possible.

Policy 3 of the HDPF states that development will be permitted within towns and villages which have defined built-up areas, and that any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the settlement hierarchy.

Policy 28 of the HDPF states that replacement dwellings will be supported provided that the development can be accommodated appropriately within the curtilage of the existing dwelling, the

property is not derelict, is replaced on a one for one basis, is not disproportionate to the size of the existing dwelling and is in sympathy with and subservient to the scale and character of the existing dwelling.

The Design and Access statement outlines that the existing dwelling is in such a poor condition that they would not be able to mortgage it due to damp/mould and construction. They note the thermalite blocks are a health risk, however there is no survey report to evidence this. As such, the property is not considered derelict and the proposed replacement within the established residential curtilage and on a 1-2-1 basis. The proposed four bedroom dwelling would represent a similar level of accommodation currently provided on the site. The immediate surroundings are characterised by detached dwellings with open frontages. It is considered that the presence of a larger dwelling set within a spacious curtilage is proportionate to the character of the site and area, and in itself would not represent a reason for refusal. The proposal would be in accordance with policy 28 of the HDPF.

Design and Appearance:

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.

There is no objection to the demolition of the existing dwelling. The replacement dwelling would feature a more expansive footprint and built form. The proposed would be 7.25 metres in ridge height over the existing height of 6.8 metres and the overall scale of the increase in built form would be an increase in footprint from 178m2 to 233 m2 excluding the basement. The bulk of the width has been broken up by setting back part of the dwelling house and dropping the ridge height slightly, giving the appearance of a two storey side extension. Overall, this increase is not of such a scale that it would be overly prominent from the streetscene or that it would appear incongruous in scale in comparison to the other dwellings in its proximity. There are no objections to the appearance of solar photovoltaic panels along the principle roof slope, although it is noted these are not common within the streetscene. The exterior of the dwelling house would be entirely in off white render and the windows would be detailed with stone headers. Whilst the exterior materials are not consistent with the existing dwellings within the streetscene which would add to the differing appearance of the dwelling, the existing dwelling also does not have materials to match the dwellings nearby, featuring white boarding as opposed to brick and tile. As such the proposed design and finishes would not introduce a new unsympathetic character where it does not already exist.

The outbuilding would be clearly subordinate in form and function, and its siting within the curtilage would not visually encroach into the wider countryside setting. The visual impact of the proposal is therefore considered acceptable and the proposal would overall be in accordance with the above policies.

Amenity Impacts:

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.

The proposed dwelling would retain considerable separation from adjoining properties, and the resulting relationship is considered sufficient to prevent any unacceptable impacts on neighbouring amenity, in accordance with the above policies.

Highways Impacts:

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

The proposal would make use of the existing access with sufficient space provided for on-site parking and manoeuvring. The proposal would not be expected to create a harmful demand for travel and the Local Highway Authority has raised no objections to the proposal, which would not be expected to have an unacceptable impact on highway safety or result on severe cumulative impacts on the highway network. The proposal is in accordance with policies 40 and 41 of the HDPF.

Ecology:

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.

Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.

It is not considered that the proposal would result in an unacceptable impact on potential protected species on site, with the roof form being unlikely to result in potential bat roosting. Furthermore, the ancient woodland to the north is a sufficient distance from the application site such that the replacement dwelling, set on largely the same footprint as the existing, would be unlikely to result in harm to protected species. It is noted that the new outbuilding is to be located abutting the trunk of a mature Oak tree within the rear garden. In order to ensure the retention of this tree a condition is attached requiring details of the method of foundations and location of pipework to the outbuilding to be agreed prior to its installation.

Given the context of the application site there are no objection to the proposal in light of Policy 31 of the Horsham District Planning Framework (2015).

Biodiversity Net Gain (BNG):

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires that development must achieve at least 10% BNG on all habitats within the development site.

The Application is in this instance is exempt from Biodiversity Net Gain, given that it would form an exception to BNG requirements as a self-build development. No objection in regards to Biodiversity net gain requirements.

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity, and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

-Triple glazing, insulation, air source heat pump
-Solar photovoltaic panels along the principle roof slope

These measures could be adequately secured by way of condition to reduce the impact of the development on climate change in accordance with local and national policy.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England and which includes supplies from groundwater abstraction which cannot, with certainty, demonstrate no adverse impacts upon the defined Arun Valley SAC, SPA and Ramsar sites.

An advice note from Natural England (September 2021) 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.

A consultation was sought from Natural England and an objection response received suggesting there was insufficient information to conclude with necessary certainty that the proposal is water neutral. Since the previous version of the Water Neutrality Statement that Natural England commented on, further information was submitted by the Applicant's with an Amended Water Neutrality Statement. The applicant submitted water bills showing the dwelling as existing used 403 litres per day and the proposed development in total would use 322.83 litres per day based on per person consumption being 98.7 litres per day. Whilst this includes some proposed mitigation such that the proposal could be screened in for consultation with Natural England, no mitigation measures are required as the proposed replacement dwelling would represent a water neutral development applying the Building Regulations Optional Standard of 110 l/p/d (110 x 3 persons = 375 l/day). No further consultation is therefore required and the application can be screened out given that the development would be water neutral without mitigation.

No objection to the proposal in light of policy 31 of the HDPF, NPPF paragraph 186 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusions:

The application seeks permission for a replacement dwelling and would be acceptable in light of policy 28 of the HDPF. Whilst the proposal would represent a departure from the character of the area in terms of materials, it would not be of a scale that would be incongruous with the other dwellings in the area and would not introduce a new form of unsympathetic appearance given the current appearance of the dwellinghouse. The impact on the amenities of the neighbouring dwellings and future occupiers are acceptable and the proposal would not be considered to harm the function or safety of the highway network.

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 new-build 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).

4 **Pre-Commencement (Slab Level) condition**: The Outbuilding hereby permitted shall not be erected until details of its foundations, including routing of all service pipes etc, to ensure the preservation of the adjacent trees, have been submitted to and been approved in writing by the Local Planning Authority. The outbuilding shall be installed in accordance with the approved details.

Reason: to ensure the preservation of adjacent trees in accordance with Policies 31, 32 and 33 of the Horsham District Planning Framework (2015).

5 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition**: The development hereby permitted shall not be occupied until a lighting design scheme for biodiversity has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the Local Planning Authority 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 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

9 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a plan showing the layout of the proposed development and the provision of car parking

spaces (including garages where applicable) for vehicles has been submitted to and approved in writing by the Local Planning Authority. The dwelling hereby permitted shall not be occupied until the parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

11 **Regulatory Condition:** The dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition**: No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

13 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, AA, B and C of Part 1 or Class AD of Part 20 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and to protect the amenities of the adjoining neighbours in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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/24/0568

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Floor plan	Proposed	X01 REV 1	12.04.2024

Elevation plan	Proposed	04 REV 1	12.04.2024
Elevation plan	Front	04a	12.04.2024
Location plan		L01	12.04.2024
Design & Access Statement		NONE	12.04.2024
Section plan	Proposed	05	12.04.2024
Elevation & Floor plan	Existing	EX02 REV A	12.04.2024
Elevation & Floor plan	Proposed	G01 REV B	12.04.2024
Site plan		01 REV H	30.09.2024
Site plan		EX01	12.04.2024
Water Neutrality statement			08.07.2024

DELEGATED

Case Officer sign/initial Hannah Darley Date: 30.09.2024

Authorising Officer sign/initial RHERMITAGE Date: 04.10.2024