PLANNING COMMITTEE REPORT

TO:	Planning Committee South
BY:	Head of Development and Building Control
DATE:	21st January 2025
DEVELOPMENT:	Creation of car parking and driveway and facing existing concrete retaining walls with stone to match the front garden wall, extension of existing garden wall. (Part retrospective).
SITE:	Ebbsworth Cottage, The Street Nutbourne, West Sussex, RH20 2HE
WARD:	Pulborough, Coldwaltham and Amberley
APPLICATION:	DC/24/0552
APPLICANT:	**Name:** Mr Tristan Lambeth **Address:** Ebbsworth Cottage, The Street Nutbourne West Sussex RH20 2HE

REASON FOR INCLUSION ON THE AGENDA: By request of Councillor Paul Clarke

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application as an addendum to the committee report considered at the 20th August Planning Committee South meeting (appended at **Appendix 1**).

DESCRIPTION OF THE APPLICATION

1.2 The application was presented to the Planning Committee at the meeting of 20th August 2024, where it was deferred for the following reasons:

- To clarify the proposed drainage system, including how surface water will be managed within the development, and
- To provide details on the materials proposed for the facing walls and the surfacing of the car park.

1.3 Additional information has now been submitted that seeks to address the above.

2. OUTCOME OF CONSULTATIONS

2.1 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. It should be noted that the below responses are in addition to those outlined in the original report, as appended.

INTERNAL CONSULTATIONS

2.2 **HDC Conservation:** No Objection (received 11.11.2024)
'*Following receipt of the revised plans showing different elevation treatment of the retaining walls, my view remains the same as expressed in my original response of 18.04.2024*.'

The Conservation Officer has subsequently advised on the 12.11.2024 that he is satisfied the mortar method statement is acceptable, and that the request for a pre-commencement meeting is still necessary as the officer would like to talk to the people actually undertaking the work. This can be issued as an informative in this case.

2.3 **HDC Conservation:** No Objection (received 06.06.2024)
The Conservation Officer supports the revised proposal to include a resin bound gravel surface finish to the parking area.

OUTSIDE AGENCIES

2.4 **Drainage Consultant:** Comment – Additional information required.

2.5 **Pulborough Parish Council:** Objection (received 08.11.2024)
As previously stated the objection is rooted in the size of the concrete close to house and the size of the parking and amenity. The concrete base extends up to the walls, creating a visually prominent feature that dominates the property/landscape. This use of concrete, especially in front of the walls, is not in harmony with the surrounding properties, where gravel and open parking are more prevalent. Additionally, there are concerns about flooding on to the main road, given the impermeable nature of concrete surfaces. The expansive use of concrete not only exacerbates these flooding concerns but also monopolises a significant portion of the driveway space. Opting for a more traditional gravel surface would not only address these water seepage worries but also blend better with the neighbourhood aesthetics. In a previous application, the Inspector noted at appeal the following in section 14 - Paragraph 205 of the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Consistent with that approach, paragraph 206 says that any harm to, or loss of, the significance of a designated heritage asset, including from its alteration, should require clear and convincing justification. The Planning application is unchanged from the previous application which was refused DC/23/0339 which also went to appeal. The footprint has not changed, no benefit for off road parking the benefits do not outweigh the harm to the heritage asset.

PUBLIC CONSULTATIONS

2.6 Nutbourne Conservation Comments (Received 02.09.2024): The letter raises concerns about the construction of a wall and the replacement of a stone plinth on a listed building in Nutbourne. The comment highlights that the current wall sample uses modern Portland cement with ribbon pointing and brick corners, which are not traditional to Nutbourne's listed walls. They suggest that the wall should instead be constructed with NHL lime mortar and sharp sand to replicate the original walls as closely as possible, with a brushed finish instead of ribbon pointing, and without brick corners. Additionally, the 9-inch wall should be secured to the concrete wall using stainless steel ties for stability. The letter also questions the decision by Horsham District Council (HDC) to approve replacing the original stone plinth of a pre-1800, once-thatched listed building with a brick plinth, expressing concern about the historical inaccuracy of this alteration and seeking justification for the decision. Overall, the comments emphasize the need for authenticity and adherence to traditional construction methods for listed structures.

3. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS AND EQUALITY

3.1 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.

3.2 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.

4. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

4.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

5. PLANNING ASSESSMENTS

5.1 This application was presented to the Planning Committee at the 20th August 2024 meeting. The resolution of the committee was to defer the application for further information. Firstly, clarity was sought regarding the proposed drainage system, including how surface water will be managed within the development. Secondly, further information was sought regarding the materials proposed for the facing walls and the surfacing of the car park.

Materials:

5.2 Updated plans have been submitted dated 07.10.2024 which set out the materials for the facing walls and surfacing of the car park area. The facing walls are to be clad in Horsham Stone to match the existing garden wall. The finish will include brushed white cement joints and stone coping to ensure visual cohesion with the historic setting. Facing brick to match the main house will be used at the ends of the wall. A method statement for the mortar has been provided whilst a wall sample has been provided onsite which has been viewed by the Council's Conservation Officer.

5.3 The driveway surface has been amended. As initially proposed the entire driveway and parking area was to have been finished in resin-bound gravel. This has now been amended so that the car parking area, which accounts for 50% of the total surface area, would be gravel grids laid on top of the current concrete base. The driveway to the front would be gravel laid upon a new granular sub-base to provide a free-draining permeable surface.

5.4 The Council's Conservation Officer has raised no objection to these finishes and the mortar method statement. Officers concur that these finishes are acceptable and would not intrude on the listed building or detract from the Nutbourne Conservation Area. The proposed development is in accordance with Policies 33 and 34 of the HDPF.

Drainage:

5.5 The application is now supported by a Drainage Report dated 18.10.2024. The Drainage Report refers to the drainage hierarchy as detailed within Part H of the Building Regulations and The SuDS manual. The drainage hierarchy requires that surface water first be discharged via infiltration, then alternatively to a surface water body (watercourse), to a surface water sewer and finally to a combined sewer.

5.6 The Drainage Report identifies that the geology of the site is sandstone with infiltration tests concluding that the site demonstrates 'poor rates of infiltration' meaning infiltration 'is not a viable means of supporting the open parking area'. Moving down the hierarchy, the Report

identifies that there are no water bodies, highway drainage assets or sewers in the vicinity to drain into. The Report concludes by noting that other properties in the area have gravel of similar driveways that are free-draining permeable surfaces and proposes a similar arrangement for the application site.

5.7 The accompanying plan annexed to the Drainage Report details that the concrete slab to the car park area, which accounts for 50% of the site, would be retained with run-off directed to the front half of the car park area / driveway. The made ground in this area would be excavated and replaced with a granular sub-base with a gravel retention system and surface on top. This would allow for surface water to drain into the ground before reaching the public highway.

5.8 The Council's external Drainage Consultants have reviewed the Drainage Report and have requested further information, including:

- Measurements of pre and post development permeable and impermeable areas with supporting catchment plans and calculations;
- Flow and volume rates with supporting evidence, for both greenfield and previously developed sites;
- Evidence connection to a public sewer is unreasonable including a scaled location plan for the nearest sewer;
- Evidence of measures to prevent pollution of the receiving groundwater and/or surface water and associated risk
- A detailed surface water drainage strategy including supporting calculations, outfall location, runoff rates, proposed volumes of attenuation storage, freeboard and sizing of all drainage features, pipe sizes, materials, manhole type and depths
- A maintenance and management plan
- Conveyancing routes both within and entering, leaving the site for flows exceeding 1 in 100 year event plus climate change.

5.9 The applicants have responded stating that this additional information exceeds what is reasonably necessary for this type of minor application and is wholly disproportionate, noting that the concrete slab measures less than 50sqm. The applicants have clarified that the nearest foul water sewer is 70m northwest of the site, a distance too far to be appropriate to connect to.

5.10 Officers have reviewed the submissions and consider that the level of drainage information submitted is acceptable for the scale and type of this particular planning application. Whilst the further information requested by the Councils Drainage Consultant is noted, and may be useful, it is not reasonable or necessary to require it in this instance. The applicants have followed the drainage hierarchy and have explained why they have taken the above approach to discharge surface water within the site as far as is possible, with approximately 50% of the site to be dug out and laid with a granular subbase to allow for water to permeate into the ground before it reaches the highway. Surface water mapping does not show there to be an underlying issue of surface water flooding in the area therefore the risks of run-off causing a flooding issue are considered minimal.

5.11 Accordingly, and within the context of this application for a domestic driveway and parking area, Officers consider that a sufficient and proportionate level of information has been submitted to be confident that the site will suitably drain in accordance with Policy 38 of the HDPF.

Conclusion

5.12 In conclusion, the principle of development on this site was established through the granting of planning permission DC/20/1972. This part retrospective application seeks to regularise changes to the layout of the previously approved scheme due to issues with ground levels

and stability. The proposed development represents a balanced and well-considered response to previous concerns raised by the Planning Committee, Planning Inspector, and local stakeholders. The revised scheme successfully addresses the key issues of design, drainage, and compatibility with the character and appearance of the Nutbourne Conservation Area, as well as the setting of the Grade II listed Ebbsworth Cottage. The revisions, including the introduction of a permeable gravel retention system, the cladding of the retaining walls with Horsham Stone, and the extension of the garden wall with matching materials, suitably integrates the parking area within its historical and visual context, with the drainage solution appropriate and proportionate in managing surface water runoff and alleviating concerns about local flooding. The public benefit of providing off-street parking in this constrained rural lane outweighs any residual harm, as confirmed by the Conservation Officer. These enhancements ensure that the development aligns with the aims of Policies 28, 32, 33, 34 and 38 of the Horsham District Planning Framework.

5.13 The proposal has therefore addressed the reasons for the deferral from the August 2024 committee and approval is therefore recommended.

6. RECOMMENDATIONS

6.1 To approve planning permission subject to the following conditions:

Conditions:

1 **Approved Plans List**

2 **Regulatory Condition**: The materials and finishes to be used in the development hereby permitted shall strictly accord with those indicated on plan 2.02B (received 07.10.2024) and the Method Statement for Mortar (received 12.11.2024).

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

3 **Regulatory Condition**: The car parking area and driveway shall be constructed in full accordance with the drainage strategy set out in the Drainage Report (received 18.10.2024).

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).