Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

| OFFICER CHECKLIST | |
|---|---|
| **WEEK ONE (Date Valid)** | **28th November 2024** |
| Check Neighbours | Y |
| Check Consultations (including newts) / Press List | Y |
| Check Description, Plans and Supporting Documents | Y |
| Print and Display Site Notice (if required) | Y |
| **WEEK TWO (+7)** | **5th December 2024** |
| Visit Site or request site visit photos (in accordance with Site Visit Guidance Note) | Y |
| Draft HRA / AA if necessary. If the water statement is insufficient discuss with TL / PPO whether to discuss / accept amendments to the strategy. | N/A |
| Instruct Legal if s106 required (with prior TL / PPO agreement) | N |
| **WEEK THREE (+14)** | **12th December 2024** |
| If amendments are likely to be needed discuss with TL / PPO (N.B. Only minor amendments will be accepted in accordance with the Amendment Guidance). When requesting amendments give clear deadline (i.e. start of week 5). | **Y** |
| **WEEK FOUR (+21)** | **19th December 2024** |
| If no amendments required, contact agent / applicant with update on progress. | **N/A** |
| Confirm whether delegated or committee decision (re: parish and neighbour representations) | **DEL** |
| **WEEK FIVE (+28)** | **26th December 2024** |
| 14-day re-consultation letters to be sent on any amended plans | **Amendment relates to alterations to roof pitch as recommended by HDC Conservation. Despite an increase in overall height as a result, it is not considered to result in a material change to the impacts for neighbouring properties due to its proposed location.** |
| Prepare draft report | **Y** |
| **WEEK SIX (+35)** | **2nd January 2025** |
| Check 35-day Cllr call-in for Committee | **Y** |
| If decision based on original plans, report to be drafted and submitted for sign off | **N/A** |
| **WEEK SEVEN (+42)** | **9th January 2025** |
| If decision based on amended plans, report to be drafted and submitted for sign off | **Y** |
| Reason for EOT | **Extended consultation period** |

APPLICATION NO./ADDRESS:

DC/24/1806
Swains Cottage , Tismans Common, Rudgwick, West Sussex, RH12 3BJ

DESCRIPTION:

Erection of an oak-framed carport, landscaping alterations including extension of gravel driveway and addition of new vehicle access to the highway. (Householder Application).

RELEVANT PLANNING HISTORY:

| | | |
|---|---|---|
| DC/24/1807 | Erection of an oak-framed carport, landscaping alterations including extension of gravel driveway and addition of new vehicle access to the highway. (Listed Building Consent). | Withdrawn Application on 15.01.2025 |
| DC/18/1956 | Retrospective application for the removal of Condition 3 of previously approved application RW/70/91 (Double garage) Relating to the ancillary use of garage. | Application Permitted on 15.11.2018 |

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 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
Policy 41 - Parking

**Rudgwick Neighbourhood Development Plan (For the period to 2031)**:
Policy RNP7 - Architectural Style
Policy RNP9 - Street Scene

**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 25: Parking
Policy 45: Replacement Dwellings and House Extensions in the Countryside

**Rudgwick 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:

**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.

**WSCC Highways**: Comment

The site is located on Tismans Common, an unclassified road subject to a speed restriction of 30 mph. A new vehicular access point is proposed on to the maintained highway. From inspection of WSCC mapping, there are no apparent visibility concerns with the proposed point of access on to Tismans Common.

From inspection of the plans, the proposed carport is suitably sized to accommodate three cars, and on-site turning appears achievable.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

**HDC Arboriculture**: No Objection

The landscape impact associated with the development will involve loss of a section of established bounding hedgerow.

No trees of significant landscape merit/contribution to the Low Weald Landscape character will be detrimentally affected.

**HDC Conservation**: No Objection

The proposed car port is a large building but satisfied it will not interfere with an understanding or appreciation of the special interest of the listed building. It will not obstruct views of the house from the road and its general form is reminiscent of a rural building that might be expected in this location. Also satisfied the new drive is acceptable.

Parish Comments: No Objection

Provided the HDC Conservation is satisfied that the setting of the listed building would not be affected.

Representations:

One representation from a neighbouring property has been received in support of the proposed development.

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:

**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 34 of the HDPF seeks to ensure development affecting heritage assets are managed positively through retaining and improving the setting of heritage assets and locally distinctive vernacular building forms and their settings, features, fabric and materials are preserved.

Policy RNP7 of the RNDP states that new development proposals should be designed with reference to the surrounding architecture.

Policy RNP9 seeks to ensure that development which incorporate the provision of new or improved vehicular and/or pedestrian access should be in keeping with the property and the surrounding street scene. Materials used in the construction of driveways or entrances should actively respond to the predominant material in the locality.

The proposed development is for the erection of an oak-framed carport, landscaping alterations including extension of gravel driveway and addition of new vehicle access to the highway at Swains Cottage, Tismans Common, Rudgwick, RH12 3BJ.

The proposed detached garage would be located approximately 10 metres to the south-east of the dwellinghouse, a Grade II Listed Building. It would be 8.93 metres wide with a depth of 5.03 metres, which could accommodate three additional vehicles.

The proposed height of the garage is 4.44 metres, and the proposed external roof and brickwork would match the existing garage located at the west of the host dwelling. The proposed garage would be supported by an oak frame with a natural finish, and the side and rear elevations would consist of timber cladding matching the colour of the oak frame.

Additionally, existing shrubbery in front of the Listed Building would be removed to make way for an additional driveway, and an existing boundary hedgerow fronting the highway would be trimmed back and partly removed to allow additional highway access. The proposed driveway material would also match that of existing. The proposed new driveway is considered acceptable and would not result in an unacceptable impact to the character of the application site and the surrounding area.

The proposed external material of the proposed garage would resemble a domestic outbuilding, and its roof would be constructed in a way that would be sympathetic to the character of the Listed Building, including a 45-degree pitch. Following consultation with the HDC Conservation Officer, whilst it is recognised that the proposed building would be larger, it is not considered that the addition would interfere with an understanding or appreciation of the special interest of the Listed Building. Given it's siting, the building would not obstruct views of the house from the road, and the overall design and appearance is appropriately reflective of a rural building in this location. In addition, the proposed driveway is considered acceptable.

The proposed development would be accommodated appropriately within the curtilage of the dwellinghouse and is considered to be adequately grouped with the existing buildings. The proposed building and new driveway are considered to be of a design, form and scale which is appropriate to the character and appearance of the existing dwelling, a Listed Building, and which would not harm the character or appearance of the wider area. It is therefore 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.

The established hedgerows at the eastern site boundary behind the proposed development are not proposed to be removed.

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.

**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 193 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.

**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 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

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 and 34 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The new roof shall be pitched to a minimum of 45 degrees. The roof junctions at ridge, hips, valleys, eaves and verges shall be built to reflect traditional detailing including exposed rafter feet, bonnet hip 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 33 and 34 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition**: All new and replacement rainwater goods shall be case iron or cast aluminium.

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 33 and 34 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition**: The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of Swains Cottage, Tismans Common, Rudgwick as a dwelling and shall not be used as a separate unit of accommodation.

Reason: The establishment of an additional independent unit of accommodation would give rise to an over-intensive use of the site and/or lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT
The Applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.
Additional information about the licence application process can be found at the following web page:
http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways-licence/

NOTE TO APPLICANT
**Biodiversity Net Gain Condition**
Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);

2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;

3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);

4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

**Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.**

*Statutory exemptions and transitional arrangements*
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at https://www.gov.uk/guidance/biodiversity-net-gain.

*Irreplaceable habitat*
If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

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/24/1806**
(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 |
|---|---|---|---|
| Elevation plan | Elevations | 111 rev C | 20.01.2025 |
| Elevation & Floor plan | Plan & Elevations | 110 rev B | 17.01.2025 |
| Location plan | | NONE | 21.11.2024 |
| Site plan | Existing Site Plan | 001 | 21.11.2024 |
| Site plan | Proposed Site Plan | 101 rev A | 21.11.2024 |

**DELEGATED**

Case Officer sign/initial Joshua Lee Date: 06.02.2025

Authorising Officer sign/initial Tamara Dale Date: 10.02.2025