Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/2183
Heathside, Veras Walk, Storrington, West Sussex, RH20 3JF

DESCRIPTION:
Erection of a residential annexe building.

RELEVANT PLANNING HISTORY:
There is an extensive planning history for the site, none of which is directly relevant to this application.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 31- Green Infrastructure and Biodiversity
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles

Storrington, Sullington and Washington Neighbourhood Plan (SSWNP)
Policy 14- Design

Heath Common Design Statement

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:
HDC Arboriculturalist: The proposed build has involved tree removal and will involve further tree loss/rooting damage and indirect impact (pressure to lop/fell) on the remaining cypress trees around the site perimeter.

The trees affected predominantly form an outgrown hedge. Whilst a landscape feature that contributes to the pleasant comparatively verdant setting, it is of limited safe useful life expectancy and of transient boundary softening/screening value only.

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: The LHA does not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (para 115), and there are no known transport grounds to resist the proposal.

Parish Comments: Object: -

The plan is for an annex of 96.79 sq m (1041 sq ft), which is the size of a small independent dwelling. It appears from the site layout that a separate unit is being contrived. Heathside itself has been the subject of various extensions over time.

The size, bulk, design and siting of the proposal conflicts directly with the accepted guidelines in the Heath Common Design Statement, a supplementary planning document which sets out to protect the special character of this area from inappropriate development, and was adopted by Horsham District Council in 2018. Paragraph 2 (23) requires that developers provide a clear and detailed statement on how they plan to meet the criteria in the Design Statement, but this has not been provided.

The site is at the heart of the heritage of Heath Common, a unique locality, and backs onto Vera's Shelter a much-loved local landmark and historic community asset. The shelter sits within a small walled triangle at the junction of Sanctuary Lane (Public Bridleway 2629) and Vera's Walk (Public footpath 2625) and is regularly visited by walkers and local historians.

At 11 feet in height, the proposed box design would be completely unsympathetic with the Shelter from which it would be highly visible, and the style is also incongruous with both the main house and neighbouring properties. Paragraph 2 (17) in the Design Statement requires that street scene elevations are submitted with the plans, and this has not been provided either. Clearly the new building would dominate the historic shelter, with significant detrimental effect on the street scene.

The applicant's statement references "attention taken in the design stage to avoid any trees, therefore none have been affected". This is misleading, as at least 6 mature trees have been felled recently, directly in the area proposed for building.

Consider that this application is potentially ambiguous, represents overdevelopment and unnecessary bulk, and disregards totally the accepted principles of the HCDS.

Representations:
34 representations were received, objecting to the proposal for the following reasons:-

- The development will overshadow the shelter on the corner of Vera's Walk, which is of historical importance.
- Out of character with the area and contrary to the Heath Common Design Statement.
- Increase in traffic.
- Overdevelopment of the site, which already features an annexe.
- Trees have already been felled which has changed the appearance of the immediate area, further trees may also be lost.
- Impact on surface water and flooding.
- Increased noise and light pollution.
- A second storey could be added to the structure in the future.
- A less prominent siting should be possible, such as through extending the existing property.
- The development would set a precedent.

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 the Development

The site is located outside of the defined built-up area boundary and is therefore considered to be within a countryside location. As such, the countryside protection policies within the Horsham District Planning Framework (HDPF) are applicable in the case of this application.

HDPF Policy 26 states that development outside of built-up area boundaries must be essential to its countryside location, and must either:

- Support the needs of agriculture or forestry;
- Enable the extraction of minerals or the disposal of waste;
- Provide for quiet recreational use, or;
- Enable the sustainable development of rural areas

In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located, including;

- The development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change;
- The pattern of woodlands, fields, hedgerows, trees, waterbodies and other features; and
- The landform of the area.

Policy 28 of the Horsham District Planning Frameworks (HDPF) relates to replacement dwellings and household extensions in the countryside, though also applies to ancillary accommodation and garaging. The policy states that outside defined built-up areas, house extensions, replacement dwellings and ancillary accommodation will be supported if the development can be accommodated appropriately within the curtilage of the existing dwelling, and that ancillary accommodation and garaging will be required to meet with all other appropriate policies, particularly design principles, and demonstrate that the need for additional space cannot be met from an existing dwelling or buildings suitable of conversion on the site. The size of any new outbuilding should have regard to the dwelling they serve and should be grouped with the house, and the use of ancillary accommodation as a separate dwelling will not be supported.

It is considered that what is proposed, and as a matter of fact and degree, would be able to function as a separate and independent dwelling. Given the reasonable likelihood that the building could be occupied as a separate and independent dwelling, it is not considered that a condition requiring ancillary occupation of the annexe to address the unacceptable impacts of the development would be effective and enforceable in this case. Policy 26 of the HDPF, which seeks to protect the countryside from inappropriate development, permits only certain categories of development, including those with an essential need in agriculture or forestry and other uses which need to be located in the countryside. The application, as proposed, does not fall within any of the categories of development resulting in a conflict with policies 2, 3, 4 26 and 28 of the HDPF.

The proposed annexe could easily be occupied as a separate unit of accommodation independent of the main dwellinghouse, and the plot subdivided to create a separate garden area for use by occupiers

of the unit. The occupation of the unit as such would be tantamount to the creation of a dwelling and would isolated from nearby settlements and with future occupiers dependent upon the use of private vehicles to access everyday services and facilities. As the proposed development is located outside of the defined built-up area of a settlement, on a site not allocated within the Development Plan or within a made Neighbourhood Plan, and not essential to the countryside location, it would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within the main settlements, and would not be essential to its countryside location, contrary to policies 2, 3, and 26 of the HDPF.

Character and Appearance

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 14 of the SSWNP states that the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and landscape.

The Heath Common Design Statement sets out that the locality has a distinctive semi-rural sylvan character and appearance and sets out criteria for new development, including that new buildings should reflect the existing styles of the Heath Common area and the uniqueness of each individual property, together with sympathetic choice of materials. Design features should reflect those of the parent dwelling and new buildings should seek to reflect the topography of the site and to nestle within the contours of the immediate vicinity and blend sympathetically with the surrounding environment. Further, the Statement advises that extensions, conversions and garages should be modest and in sympathy with the character of the main building and incorporate pitched roofs wherever possible.

The application site lies within an area which includes an eclectic mix of properties, with the Heath Common Design Statement noting that this mix has retained a local traditional vernacular. The application site features a generous plot with surrounding development generally set within smaller plots. The pattern of development in the area is an informal one and spacious in character with the degree of space between individual properties and their boundaries noticeable.

The proposal entails a single-storey outbuilding sited in the eastern section of the site, with a splayed form which would broadly reflect the road layout of Veras Walk and Sanctuary Lane. The building features an extensive footprint with a flat roof form and timber cladding to the elevations. The Design & Access Statement considers the building to be ‘an attractive and honest scheme of high quality with clean lines that will complement and enhance its surroundings’.

There is no objection in principle to contemporary architecture and it may be possible for the site and surrounding area to accommodate such development. It is though considered that good design involves taking account of the pattern and scale of the surrounding context and built form. This does not appear to be the case in this instance, with limited detail or justification on the rationale for the scale, form and design of the outbuilding and how this has evolved. The proposed siting together with the extensive footprint and contrasting form and detailing would create a visible and incongruous contrast with the pattern of surrounding development. This contrast would create a jarring relationship which would be harmful to the prevailing character and appearance of the site and wider surrounding area.

Arboricultural Considerations

The site is bounded internally to the road by a comparatively tall screen of Lawson cypress trees forming a high hedge (10m+). At the apex of the boundary curve, adjacent to the abutting public open space to the East, the hedge is denuded and a single specimen cypress and a Scots pine with a biased crown form are all that remain. It is evident that a number of mature trees have recently been felled within/close to the proposed build footprint.

The application is not accompanied by any substantive information in respect of trees. It is though apparent that the proposed building will be within minimum recommended root protection of existing trees, and that further tree felling may be required. This is the case during construction but also as a result of post-completion pressures, where remaining trees would foreseeably be heavily topped or felled in the short to medium term post build.

As such, while it is acknowledged that the site boundaries are currently marked by closeboarded fencing and established trees, with evidence of tree works / removal having taken place in the location of the proposed outbuilding. This screening is not though so substantial as to screen the outbuilding in this location and of the scale proposed, and views would remain possible from surrounding properties and land. It is also the case that planting can be easily removed or die and cannot be relied upon in perpetuity. As a consequence, planting and landscaping is a means of complementing a proposal rather than making inappropriate development acceptable. The existing boundary treatment would not therefore overcome the concerns set out above.

It is instead considered that were the application to be approved an Arboricultural Impact Assessment would be required to enable an assessment of the additional impacts on trees / landscaping that the build will incur, and to enable a fair assessment of landscape mitigation planting that may be considered appropriate to retain a verdant property boundary.

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 proposed outbuilding and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity. Similarly, the provision of ancillary accommodation on the site would not be expected to result in significant potential for harmful levels of noise or disturbance. The amenity impacts of the proposal would therefore be considered acceptable.

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.

The submission sets out that the development would provide a ‘residential annexe building’, there is though limited information as to the nature of the intended occupation and it is noted that extensive facilities, including primary living accommodation, would be provided. There is a paucity of information within the application relating to water consumption, and it cannot be determined that the impacts of the development have been properly assessed, nor that effective mitigation could realistically be secured for the development to offset any additional water demand at the site to achieve water neutrality. As a consequence, there is insufficient certainty to conclude that adverse effects on the Arun Valley abstraction points can be excluded.

Insufficient information has therefore been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District

Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2021), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

Conclusion

The development, by reason of its siting, design, form and relationship with site boundaries and trees / landscaping, would represent an unsympathetic form of development which would be harmfully out of keeping with the character and appearance of the locality. The proposal is therefore contrary to policies 32 and 33 of the Horsham District Planning Framework (2015), Policy 14 of the Storrington, Sullington and Washington Neighbourhood Plan, and the Heath Common Design Statement.

Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2021), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

Recommendation: Application Refused

Reasons for Refusal:

1 The proposed development would be able to function as a separate and independent dwelling unit and would be tantamount to the creation of a new dwelling in a countryside location. The dwelling is located outside of any defined built-up area, on a site not allocated within the Development Plan or within a made Neighbourhood Plan and it has not been demonstrated that it is essential to its countryside location. The self-contained unit of accommodation would be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within the main settlements and would create a reliance on private vehicles for access to everyday services and facilities. The development is therefore contrary to Policies 2, 3 and 26 of the Horsham District Planning Framework (2015).

2 The development, by reason of its siting, design, form and relationship with site boundaries and trees / landscaping, would represent an unsympathetic form of development which would be harmfully out of keeping with the character and appearance of the locality. The proposal is therefore contrary to policies 32 and 33 of the Horsham District Planning Framework (2015), Policy 14 of the Storrington, Sullington and Washington Neighbourhood Plan, and the Heath Common Design Statement.

3 Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2021), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

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/23/2183
Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	13.12.2023
Site plan	Proposed	01 REV B	30.12.2023
Location plan		NONE	30.12.2023
Elevation & Floor plan	Proposed	X01 REV C	30.12.2023
Design & Access Statement	Planning	NONE	30.12.2023
Site plan	Existing	EX01 REV B	30.12.2023

DELEGATED

Case Officer sign/initial Guy Everest Date: 19.04.2024

Authorising Officer sign/initial RHERMITAGE Date: 30.04.2024