Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/23/2320
Medlars, Swallows Lane, Dial Post, West Sussex, RH13 8NN

DESCRIPTION:

Part demolition of existing building and erection of two storey side and single storey rear extensions. Replacement of existing flat roof with pitched roof, removal of existing dormer window, and installation of 1no rooflight. Re roofing of side porch and installation of new and replacement windows. (Householder Application)

RELEVANT PLANNING HISTORY:

DC/23/2321	Part demolition of existing building and erection of two storey side and single storey rear extensions. Replacement of existing flat roof with pitched roof, removal of existing dormer window, and installation of 1no rooflight. Re roofing of side porch and installation of new and replacement windows. (Listed Building Consent)	Pending Consideration
DC/17/2612	Erection of single storey side/front extension to north-west elevation and installation of double glazed window to replace existing single glazed window. (Listed Building Consent)	Application Permitted on 15.01.2018.
DC/17/2611	Erection of single storey side/front extension to north-west elevation and installation of double glazed window to replace existing single glazed window. (Householder Application)	Application Permitted on 15.01.2018.
WG/19/51	Proposed repairs,alterations & additions (From old Planning History)	Application Permitted on 09.01.1952.
WG/15/68	Bedroom & kitchen over existing kitchen Comment: + br (From old Planning History)	Application Permitted on 15.03.1968.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 26- Strategic Policy: Countryside Protection
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

West Grinstead Parish Neighbourhood Plan (2019-2031)

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:

HDC Conservation: No Objection

The timber framed cottage has undergone several phases of alteration and extension in the past. The most recent appear to have been undertaken in the mid-twentieth century and although the extensions are not sensitive, the “restoration” work may have saved the historic building from demolition. The cottage is one of the more poorly built seventeenth century timber framed buildings in the district and its position on the edge of the road suggests it may be a “squatters” cottage built on common land.

The proposed extensions will substantially enlarge the property, but satisfied the modest character of the historic core will remain recognisable. The existing rear two storey extension is harmful, and the proposed work will reverse this harm by placing a pitched roof over this rear pile. The two large rear wings have a modern aesthetic that contrasts with the vernacular form of the historic core. However, satisfied this will not result in harm and the appearance of the new extensions will reinforce their twenty first century construction. The internal alterations will allow the retention of the altered inglenook chimney breast and retain an ability to understand and appreciate the historic spatial arrangement.

Ecology: Recommend grant permission subject to conditions

Note from the Bat Survey Report (AEWC, November 2023) that a licence for bats will be required before commencement of any works and recommend that a copy of this is secured by a condition of any consent. This is because the emergence surveys in September 2023 confirmed the presence of Common and Soprano Pipistrelle bat day roosts within the tile hangings of the extension to the main house, as well as a Common Pipistrelle bat roost within the tile hangings on the main house. We support the outline mitigation measures in Section 6.13 of the Bat Survey Report (AEWC, November 2023).

Note that the Annexe has negligible bat roost potential (Bat Survey Report (AEWC, November 2023)) and we therefore agree that no further bat surveys are required for the Annexe. Also note that the Stables and Workshop buildings have low-medium bat roost potential, but no works are currently proposed on these buildings (Bat Survey Report (AEWC, November 2023)). Agree that if works are proposed in the future, then further bat surveys must be undertaken on these buildings.

Satisfied that there is sufficient ecological information available for determination. We have no objections on ecological matters excluding Great Crested Newt. This provides certainty for the LPA of the likely impacts on protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable. This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended).

The mitigation measures identified in the Bat Survey Report (AEWC, November 2023), should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority Species.

If lighting is required, we also support the implementation of a Wildlife Friendly Lighting Strategy for this application (Bat Survey Report (AEWC, November 2023)) to avoid impacts from light disturbance. This should be secured by a condition of any consent and implemented in full.

Recommend that reasonable biodiversity enhancements (such as bird boxes or solitary bee homes) should be identified and implemented to secure net gains for biodiversity, as outlined under Paragraph 180[d] of the National Planning Policy Framework (December 2023). The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Layout and secured by a condition of any consent.

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.

Parish Comments:

No Objection.

Representations:

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

The application has been assessed on the basis of the submitted details, together with the planning history of the site and adjoining properties, available images and photographs supplied by the agent. These details were considered sufficient to allow the application to be properly considered and determined.

Character and Appearance

Policy 28 of the Horsham District Planning Framework (HDPF) relates to the protection of the countryside. Outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Replacement dwellings will only be supported on a one-for-one basis and if it can be demonstrated that the property is not derelict.

Policy 32 and 33 of the HDPF seeks 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.

Medlars is a detached two-storey dwelling located outside the built-up area in Dial Post, the building is a Grade II listed building which has been extended and altered over the years. The most recent being an extension to the side/front extension, ref: DC/17/2611.

The proposed single-storey extensions would sit on the rear, with the appreciation for the listed building on the eastern elevation remaining unchanged, with views from the road unspoilt due to the position of the proposed extension. It is acknowledged that the proposed extensions are of substantial size, however, these are single storey and would therefore be lower lying. In order to protect the heritage of the listed building, the new additions would be connected with a link to ensure that the character of the listed building remains identifiable.

The unsympathetic twentieth century extensions would be remodelled, with the existing flat roof replaced with a pitched and cropped hip roof. The two-storey side extension would be set back from the main building line to the front. This would be visible from public vantage points but has been designated sympathetically to integrate with the existing dwelling. An existing single storey extension would be removed to facilitate the proposed extension. External materials would match the existing,

with painted brickwork to the walls and plain clay tiles for the roof terminating with a cropped hip feature to match the northern end of the roof.

The proposals would be in keeping with the scale and character of the existing dwelling, appearing as subservient additions, and not overwhelming the site. It is acknowledged that the extensions and additions are of sufficient size, however, the site can accommodate this, and they have been designed to integrate well into the existing dwelling and are not considered to result in harm. Following consultation with the Council's Conservation Officer, it is considered that the proposal would retain the vernacular of the heritage asset and not result in harm.

It is considered that the additions would be of a design, form and scale which is appropriate to the character and appearance of the existing dwelling. The proposed rear extension would complement the heritage asset, integrating well into the older part of the dwelling, and ensuring heritage is protected. External materials that match or complement the existing dwelling have been utilised. 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.

It is considered that the siting and scale of the development, detached nature of the dwelling, and the resulting relationship with adjoining properties, would be sufficient to prevent any unacceptable harm to neighbouring amenity. It is noted that no representation letters have been received.

Impact on Heritage

Policy 34 of the HDPF states that development should be reinforce the special character of the historic environment through appropriate siting, scale, form, and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric, and materials.

As the dwelling is a listed building the Conservation Officer was consulted, where amendments were received following discussions. The proposed extensions will substantially enlarge the property, but the officer was satisfied that the modest character of the historic core would remain recognisable. The pitched roof proposed on the existing two-storey extension would reverse the harm it currently has. The two large wings have a modern aesthetic that contrasts the vernacular form of the historic core, but it is considered that this would not result in harm to the listed building. It is considered that the proposed extensions would not result in harm to the heritage of the listed building.

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 new habitats where appropriate.

The application is accompanied by a Bat Survey Report (AEWC, November 2023), which outlined that there is presence of Common and Soprano Pipistrelle bat day roosts within the tile hangings of the extension to the main house, as well as a Common Pipistrelle bat roost within the tile hangings on the main house. The annexe has negligible bat roost potential, and the surrounding stables and workshop buildings have low-medium bat roost potential, but no works are proposed on these buildings.

A condition is recommended to secure a licence for bats required before commencement of any works. A further condition is required to secure the mitigation measures, which is necessary to conserve and enhance protected and Priority Species.

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 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

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 **Pre-Commencement Condition**: Any works which will impact the breeding / resting place of bats, shall not in any circumstances commence unless the local planning authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or
c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

4 **Pre-Commencement (Slab Level) Condition**: No development above ground floor slab level shall commence until a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures is submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (as amended).

5 **Pre-Occupation Condition**: A lighting design scheme for biodiversity based on GN: 08/23 shall be 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 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 LPA 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 (as amended) and Policy 31 of the Horsham Development Framework.

6 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Survey Report reference 23-217 by Animal Ecology & Wildlife Consultants Ltd dated November 2023 as already submitted with the planning application, and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g., an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA 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 (as amended) and Policy 31 of the Horsham Development Framework.

7 **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 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: The new clay tile roof junctions at ridge, hips, valleys, eaves and verges shall be built to reflect traditional detailing including exposed rafter feet, cut verges, bonnet hip and valley 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 34 of the Horsham District Planning Framework (2015).

9 **Regulatory Condition**: The new timber casement windows hereby permitted shall have casements flush fitted with their frames. The windows shall not be fitted with trickle vents or lead applied to the face of the glass.

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 34 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: The roof lights hereby permitted shall be metal framed and sit flush with the roof slope.

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 34 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/23/2320
(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 & Site plan	Site Location Plan Site Plan	471_PL01 Rev 0	22.12.2023
Floor plan	Ground Floor Plan	0923-EA2-GF50-A2	22.12.2023
Floor plan	First Floor Plan	0923-EA2-FF50-A2	22.12.2023
Floor plan	Attic Floor Plan	0923-EA2-AP50-A2	22.12.2023
Elevation plan	Elevations	0923-EA2-E100-A2	22.12.2023
Floor plan	Proposed First Floor Plan	471_PL02 Rev A	04.03.2024
Roof plan	Proposed Roof Plan	471_PL03 Rev A	04.03.2024
Elevation plan	Proposed Elevations	471_PL04 Rev A	04.03.2024
Supporting Statement	Bat Survey Report by Animal Ecology & Wildlife Consultants Ltd dated November 2023	23-217	22.12.2023

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 09.04.2024

Authorising Officer sign/initial Tamara Dale Date: 10.04.2024