Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1565
Buchan Country Park, 2 Laundry Cottages , Horsham Road, Southgate, Crawley, West Sussex, RH11 9HQ

SITE AND SURROUNDS
The site comprises a pair of semi-detached dwellings that sit in a clearing in the wooded area. The properties are surrounded by tress with the A264 Horsham Road to the north and south, adjacent to a private access driveway leading to Buchan Country Park and forest to the west. Further to the south there are a cluster of 4 other residential dwellings which are also accessed from the shared access road to the Country Park. Due to the mature nature of the site, there are very limited views of the dwellings from any public vantage point. The site is located outside of the built up area and incorporates a predominantly rural character.

DETAILED DESCRIPTION
The application seeks planning permission for the construction of a vehicular access from the private access track leading to Buchan Country Park and the construction of parking area to serve 1 and 2 Laundry Cottages. The area surrounding the site comprises Buchan Country Park which is characterised by its wooded landscape.

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 26 - Strategic Policy: Countryside Protection
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 41 - Parking

Neighbourhood Plan:
Colgate has not been designated as a Neighbourhood Plan area.

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 19: Development Quality
Policy 20: Development Principles
Policy 25: Parking

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.

Ecology:
Recommend grant permission subject to conditions.

We support the implementation of the non-licensed Precautionary Method Statement for Hazel Dormouse in the Technical Response – DC/24/0928 (The Ecology Partnership, October 2024). This is because the small areas of bramble and mixed scrub on the boundaries provide potential Hazel Dormouse habitat and the scrub is well connected to nearby suitable habitat in deciduous and ancient woodland. This should be secured by a condition of any consent and implemented in full.

We also support the implementation of a Precautionary Method Statement for mobile Priority species (such as Hedgehog and reptiles) in Sections 4.23, 4.26 and 4.30 of the Preliminary Ecological Appraisal (The Ecology Partnership, May 2024). This is because the boundary scrub habitats are suitable for reptiles and the site has potential to support Hedgehog. This should be secured by a condition of any consent.

Crawley Borough Council: No objection

HDC Arboricultural Officer: No objection
Provided the development process is limited to the confines indicated on the submitted tree protection plan, I raise no arboricultural concerns with the proposal.

West Sussex County Council Highways: No objection
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 115), and that there are no transport grounds to resist the proposal.

Parish Comments:
No comments

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

Character and Appearance

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.

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.

The siting of the proposed vehicular access would not have any adverse impact on the character or appearance of the locality or the countryside location with the site benefitting from existing screening along the access road. It is considered that the scale and siting of the proposed vehicular access would be sufficient to prevent any unacceptable impact on the amenities of adjoining occupiers. Whist it is regrettable that a section of informal hedgerow would be lost, an area of hedgerow would remain along the access road. There is therefore no objection to the alterations to the proposed vehicular access and parking area to the front of the properties, with it considered that the alterations would not result in a significant adverse impact on the character and appearance of the site.

The proposal would be a clearly subservient addition and is considered to be of a design, form and scale which is appropriate to the character and appearance of the existing dwelling, 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.

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 186 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 currently 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 **Pre-Occupation Condition**: Prior to beneficial use a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (The Ecology Partnership, May 2024), shall be 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 and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (as amended).

4 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Technical Response - DC/24/0928 (The Ecology Partnership, October 2024) and Preliminary Ecological Appraisal (The Ecology Partnership, May 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statements for reptiles and mobile Priority species in Sections 4.23, 4.26 and 4.30 of the Preliminary Ecological Appraisal (The Ecology Partnership, May 2024), which avoids impacts on protected species.

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.

5 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved hard & Soft General Arrangement plan drawing numbered RCo510-03 Rev 02 received 8.10.2024.

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).

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/24/0928

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Tree plan		RCo510-01 REV 00	09.07.2024
Tree plan		RCo510-02 REV 00	09.07.2024
Layout plan	Hard and Soft General Arrangement	RCo510-03 REV 00	09.07.2024
Tree plan		EX01	18.06.2024
Supporting Statement	Cover letter	NONE	18.06.2024
Location plan		DP/V/2455/1 REV P3	09.07.2024
Supporting Statement	Cover letter	NONE	09.07.2024
Supporting Statement	Tree schedule	NONE	18.06.2024
Block plan		DP/V/2455/1 REV P2	09.07.2024
Supporting Statement	Preliminary Ecological Appraisal	NONE	18.06.2024
Supporting Statement	Arboriculture Impact Assessment and Method Statement	NONE	18.06.2024
Supporting Statement	Technical Response	NONE	12.12.2024

DELEGATED

Case Officer sign/initial Marie Riggs Date: 12.12.2024

Authorising Officer sign/initial RHERMITAGE Date: 17.12.2024