



RDJW Architects
RDJW Architects Limited
Quoin House
9-11 East Park
Crawley
RH10 6AN

Application Number: DC/18/1197

TOWN AND COUNTRY PLANNING ACT, 1990 (as amended)
TOWN AND COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: Mr and Mrs Brent Dowson

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby notify you that they PERMIT the following development, that is to say:

Conversion of and partial rebuilding of existing ancillary accommodation (units 1 and 3) into 2 x dwellings and re-building of units 4 and 5, with rear extension, to form 2 x dwellings. Construction of single storey rear extension to existing dwelling (unit 2). Construction of detached carport and bin store, landscaping works and formation of access and hardstanding area.

Old Park Horsham Road Rusper Horsham

to be carried out in accordance with Application No. DC/18/1197 submitted to the Council on 07/06/2018 and subject to compliance with the plans/documents and conditions specified hereunder.

Date: 02/08/2018

- 1 **Plans Condition:** The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Location plan		4861-001 REV A	
Block plan	Proposed	4861-003 REV D	
Floor plan	Ground units 4-5 as Existing	4861-030	
Floor plan	Proposed Car Barn and Bin Enclosures	4861-SK20	

Floor plan	Units 4-5 Ground Floor as Proposed	4861-036	
Elevation plan	Units 1-3 as Existing	4861-013 REV A	
Elevation plan	Units 1-3	4861-034 REV C	
Floor plan	First Floor units 1-3 as proposed	4861-033 REV A	
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Details plan	Visibility Splays	4861-048	
Elevation plan	Units 1-3 as Existing	4861-014 REV A	
Design & Access Statement	Planning	NONE	
Floor plan	Ground Floor units 1-3 as proposed	4861-032 REV D	
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Roof plan	Units 4-5 as Proposed	4861-037	
Supporting Statement	Asbestos	None	
Supporting Statement	Desk Study	None	
Supporting Statement	Hard and Soft Landscape Specification	None	
Details plan	Detailed Planting	LLD1269-LAN-DWG-200 REV 00	
Supporting Statement	Detailed Plant Schedule and Specification	None	
Details plan		LLD1269-LAN-DWG-201 REV 00	
Supporting Statement	Soft Landscape Management Plan	None	
Details plan		LLD1269-LAN-DWG-100 REV 02	25.06.2018

Reason: For the avoidance of doubt and in the interest of proper planning.

- 2 **Standard Time Condition:** The development hereby permitted shall be begun 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 development shall take place in accordance with the Ecological Mitigation and Management Plan approved under application reference DISC/17/0403, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement in accordance with the Conservation of Habitats & Species Regulations 2010 (as amended), The Wildlife and Countryside Act 1981, NPPF and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** The hereby approved development shall not be occupied until a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation measures under application reference DISC/17/0403 are complete, and, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The development shall take place in accordance with the details of asbestos removal approved under application reference DISC/17/0403.

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** The development shall take place in accordance with the Construction Method Statement approved under application reference DISC/17/0403.

Reason: In order to consider the potential impacts on the amenity of the neighbouring properties during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **Regulatory Condition:** The development shall take place in accordance with the schedule of materials set out in the application form and those approved under application reference DISC/17/0403.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the cycle parking facilities approved under application reference DISC/17/0403 have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, the vehicle parking and turning spaces shall be constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** Within six months of the implementation of the development, maximum visibility splays shall be provided at the site access onto Horsham Road in accordance with a plan to be submitted to and approved by the planning authority. These splays shall thereafter be kept clear of all obstructions to visibility above a height of one metre above the adjoining road level.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 11 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse/recycling has been made in accordance with the details approved under application reference DISC/17/0403. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** The landscape scheme on approved drawing no. LLD1269-LAN-DWG-100 Rev 02 and that approved under application reference DISC/17/0403 shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** The landscape areas shall be managed and maintained in accordance with the details approved under application reference DISC/17/0403.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 14 **Regulatory Condition:** Any external lighting that is installed shall be maintained in accordance with the details approved under application reference DISC/17/0403.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015), and to provide ecological protection and enhancement in accordance with the Conservation of Habitats & Species Regulations 2010 (as amended), The Wildlife and Countryside Act 1981, NPPF and Policy 31 of the Horsham District Planning Framework.

- 15 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or reenacting that Order) no development falling within Classes A, B, C, D, E, F and G of Part 1 and Classes A and C of Part 2 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and to protect the character and appearance of the buildings; in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Note to Applicant

Please be advised that there are conditions on this notice that will require the submission of details to be submitted for approval to the Local Planning Authority. To approve these details, you will need to submit an "Application for approval of details reserved by condition" with an application form and pay the appropriate fee. Guidance and the forms can be found at:-

www.planningportal.co.uk/planning/applications/paperforms

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. Additional information about the licence application process can be found at the following web page:

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Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

Note to Applicant

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

Note to Applicant – Community Infrastructure Levy (CIL):

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. **This development constitutes CIL liable development.**

CIL is a mandatory financial charge on development. To avoid additional financial penalties, the requirements of CIL must be managed before development is commenced (including in the event of any successful appeal).

Payment must be made in accordance with the requirements of the CIL Demand Notice issued.

Note to Applicant:

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.

ADDITIONAL INFORMATION

Planning Permission – Important Provisos

If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations, or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted. The Building Control Department can be contacted on 01403 215151.

If this permission relates to new dwellings, commercial premises or other buildings which will require a new postal address you should contact the Council's Street Naming & Numbering Department as soon as possible or before work commences on site. Further details are available on the Street Naming page on the Council's website or alternatively e-mail streetnaming@horsham.gov.uk or telephone 01403 215139.

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

Compliance with the Approved Plans and Conditions

The development hereby approved must be implemented in accordance with the approved plans and any conditions set out in the Notice. Some of the conditions may specify that works are to be carried out, and/or details submitted and approved before all or part of the development is started. These will appear in the 'Pre Commencement Conditions' section of the Notice.

If works on implementing this permission is started without these requirements being fully met, the development may be unauthorised and the permission invalidated, and could lead to enforcement proceedings or in some cases to prosecution.

Amendments

Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

Monitoring

Horsham District Council monitors the implementation of planning permissions. Please be aware that monitoring officers may visit the application site at various stages of the development to ensure compliance with the approved plans and conditions.

Conditions Compliance

Requests for confirmation of compliance with conditions associated with that permission should be made in writing or by using the application form 'Approval of Details Reserved by Conditions'.

A request may be for confirmation that one or more conditions imposed on the same permission have been complied with. We aim to respond within 8 weeks of receipt of the request.

Right of Appeal

If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application and within 26 weeks for other types of planning applications. Please note, only the applicant possesses the right of appeal.

The details of how to appeal together with the form which must be used can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or on-line at www.planningportal.gov.uk/pcs



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/18/1197

Old Park, Horsham Road, Rusper, Horsham, West Sussex, RH12 4QT

DESCRIPTION:

Conversion of and partial rebuilding of existing ancillary accommodation (units 1 and 3) into 2 x dwellings and re-building of units 4 and 5, with rear extension, to form 2 x dwellings. Construction of single storey rear extension to existing dwelling (unit 2). Construction of detached carport and bin store, landscaping works and formation of access and hardstanding area.

RELEVANT PLANNING HISTORY:

DC/17/1415	Proposed conversion and rear extension to existing residential outbuildings to form 4x additional dwellings with associated car parking	Application Permitted on 18.08.2017
DISC/17/0403	Approval of details reserved by conditions 2 ,3 (a, b and c), 4 ,5, 6, 7, 10 ,11 ,12 and 13 on DC/17/1415	Application Permitted on 19.01.2018
DC/18/0239	Variation of Condition 1 to previously permitted application DC/17/1415 (Proposed conversion and rear extension to existing residential outbuildings to form 4x additional dwellings with associated car parking). Minor material amendments to approved plans to facilitate provision of detached car-barn/bin store, alterations to approved windows and doors and erection of single-storey extension.	Application Permitted on 08.05.2018

SITE AND SURROUNDS

The application relates to a range of outbuildings at Old Park, Horsham Road, Rusper. The buildings lie to the east side of the Horsham Road to Rusper, being within the countryside, outside of any defined settlement boundary. The buildings form an incomplete U-shaped courtyard arrangement located to the north of the main house Old Park, a detached country house set within its substantial grounds, part of which related to a farmstead and the remainder as gardens to the main house.

The arrangement included staff accommodation, games room, art studio, garaging, ancillary office, storage, a boiler room and pool house with a small portion of the eastern range having been used to provide stabling. Old Park and the outbuildings are served by a main drive that sweeps in front of the main west elevation and entrance, and back to the carriage entrance, leading into the courtyard with its stables, carriage storage and staff accommodation. A further gated field entrance is located to the north of the site and the outbuildings, which has recently been re-opened to provide access to the outbuildings.

DETAILED DESCRIPTION

The application conversion of and partial rebuilding of existing ancillary accommodation (units 1 and 3) into 2 x dwellings and re-building of units 4 and 5, with rear extension, to form 2 x dwellings. Construction of single storey rear extension to existing dwelling (unit 2). Construction of detached carport and bin store, landscaping works and formation of access and hardstanding area.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 15 - Strategic Policy: Housing Provision

Policy 24 - Strategic Policy: Environmental Protection

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 34 - Cultural and Heritage Assets

Policy 40 - Sustainable Transport

Policy 41 - Parking

Policy 42 - Strategic Policy: Inclusive Communities

Policy 43 - Community Facilities, Leisure and Recreation

Neighbourhood Plan:

There is no made plan for Rusper

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:

INTERNAL CONSULTATIONS

HDC Conservation Officer: No objection

HDC Landscape Architect: No objection

HDC Property Services (Drainage): No comments

OUTSIDE AGENCIES

WSCC Highways: No Objection

Southern Water: The development site is not located within Southern Water's statutory area for drainage and wastewater services. Please contact the relevant statutory undertaker to provide wastewater services to this development. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer.

Parish Comments:

Support the application

Representations:

None received

Member Comments:

None received

HUMAN RIGHTS

Article 8 (right to respect of a private and family life) and Article 1 of The First Protocol (protection of property) of the Human Rights Act 1998 are relevant to the application. Consideration of human rights is an integral part of the planning assessment set out below.

PLANNING ASSESSMENT

Principle of Development:

The principle of development has previously been established by virtue of DC/17/1415 which sought permission for the proposed conversion, with a rear extension, of the existing residential outbuildings to form 4x additional dwellings with associated car parking. Following a conditions monitoring related site visit it emerged that the works taking place amounted to substantial demolition and resulting rebuilding. These works went beyond that permitted by the planning permission. The current application therefore seeks consent for demolition and rebuilding to match the details and quantum of development approved as part of the conversion.

As the resulting building and associated dwellings would reflect the scale and nature of the originally approved scheme the principle of the development is considered acceptable, subject to detailed considerations.

Character and appearance:

The proposed scheme would not have any greater impact on the landscape character or appearance of the site or wider surroundings than would have resulted from the original planning permission, for conversion of the existing buildings. It is acknowledged that the original buildings were considered to be non-designated heritage assets, and these have been partly lost as a result of the demolition works. The proposed rebuilding although to modern standards would though reflect the historical form and layout of the original buildings, such that no demonstrable harm would result from the proposal. For the same reasons the relationship of the revised scheme to the adjacent listed building would not be materially different as a result of the current application. The application is therefore considered to accord with Policies 25, 32, 33 and 34 of the HDPF.

Impact on neighbouring amenity:

It is considered that there are no adverse impact on the street scene or visual amenities of the area.

Highways Impacts:

The parking is as agreed within DC/18/0239; The proposed car barn allows five parking spaces measuring 2.4 x 4.8m each. This is sufficient for five average sized vehicles. Space is present behind these parking spaces for a reverse manoeuvre to exit onto Horsham Road in a forward gear.

There are no changes to the previously commented on vehicle access and visibility arrangements. The access surfacing works are required to be completed to WSCC specification and under license which is to be obtained from the Area Office.

Landscape

A plan has been submitted that shows the split between private and communal land. The Council Landscape officer is satisfied with the proposed details.

Ecology:

An Ecological Mitigation and Management Plan has previously been approved under application reference DISC/17/0403. An appropriate condition has been imposed accordingly.

Conclusions and Planning Balance:

It is considered that the proposed development is acceptable and accords with relevant development plan policies within the HDPF 2015.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development. At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	249.54	0	249.54
		Total Gain	249.54
		Total Demolition	0

Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Recommendation: Application Permitted

Conditions:

- 2 **Standard Time Condition:** The development hereby permitted shall be begun 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 development shall take place in accordance with the Ecological Mitigation and Management Plan approved under application reference DISC/17/0403, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement in accordance with the Conservation of Habitats & Species Regulations 2010 (as amended), The Wildlife and Countryside Act 1981, NPPF and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

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planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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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

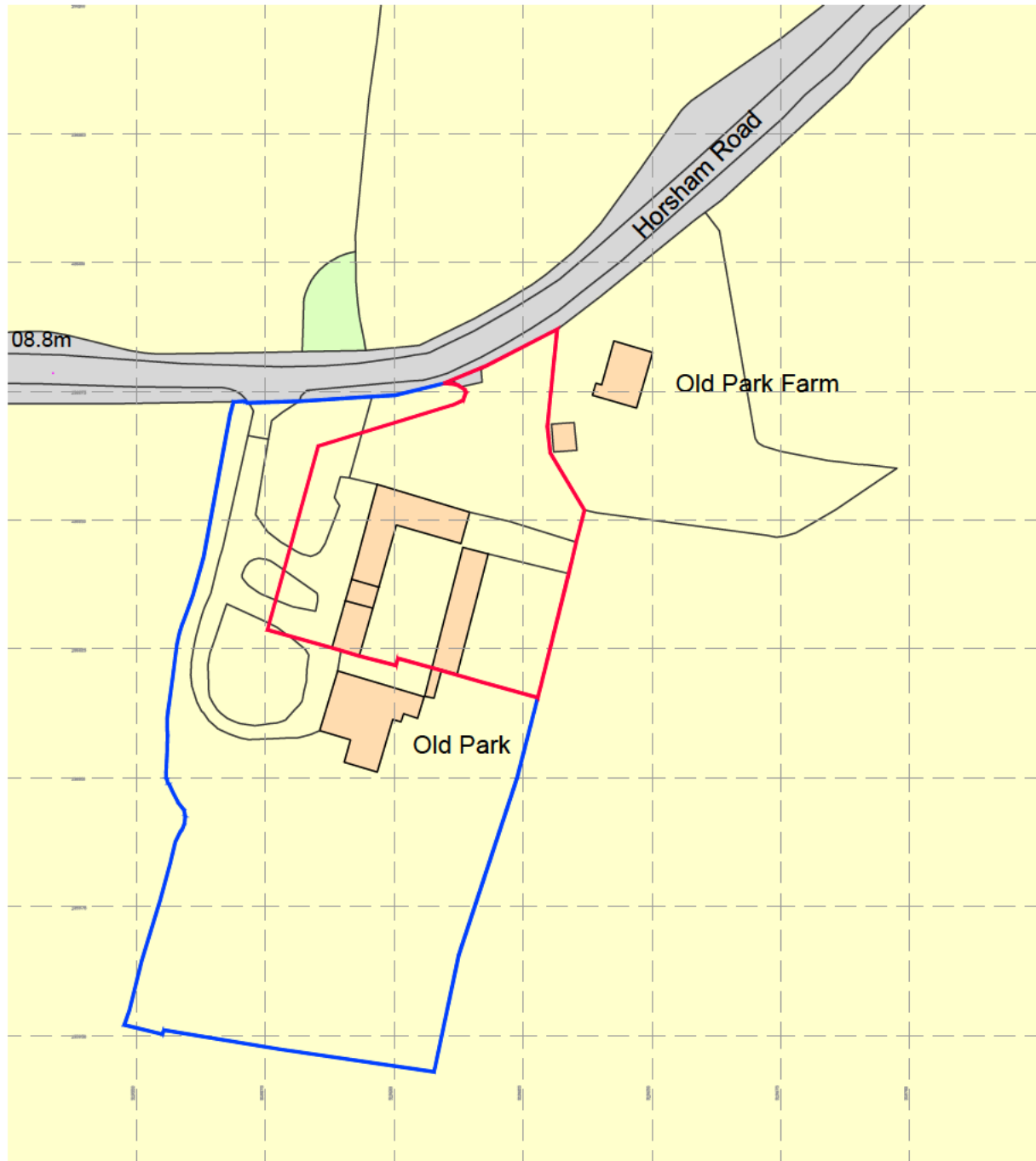
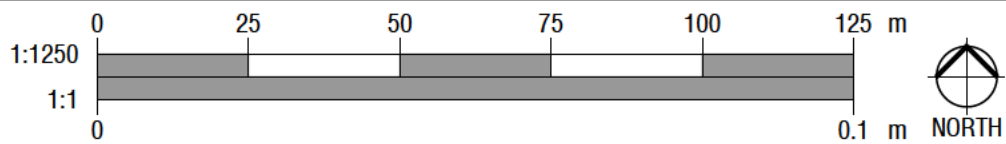
determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/18/1197

(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 plan		4861-001 REV A	
Block plan	Proposed	4861-003 REV D	
Floor plan	Ground units 4-5 as Existing	4861-030	
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Supporting Statement	Desk Study	None	
Supporting Statement	Hard and Soft Landscape Specification	None	
Details plan	Detailed Planting	LLD1269-LAN-DWG-200 REV 00	
Supporting Statement	Detailed Plant Schedule and Specification	None	
Details plan		LLD1269-LAN-DWG-201 REV 00	
Supporting Statement	Soft Landscape Management Plan	None	



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PROJECT
Old Park
Horsham Road
Rusper RH12 4QT

Site Location Plan

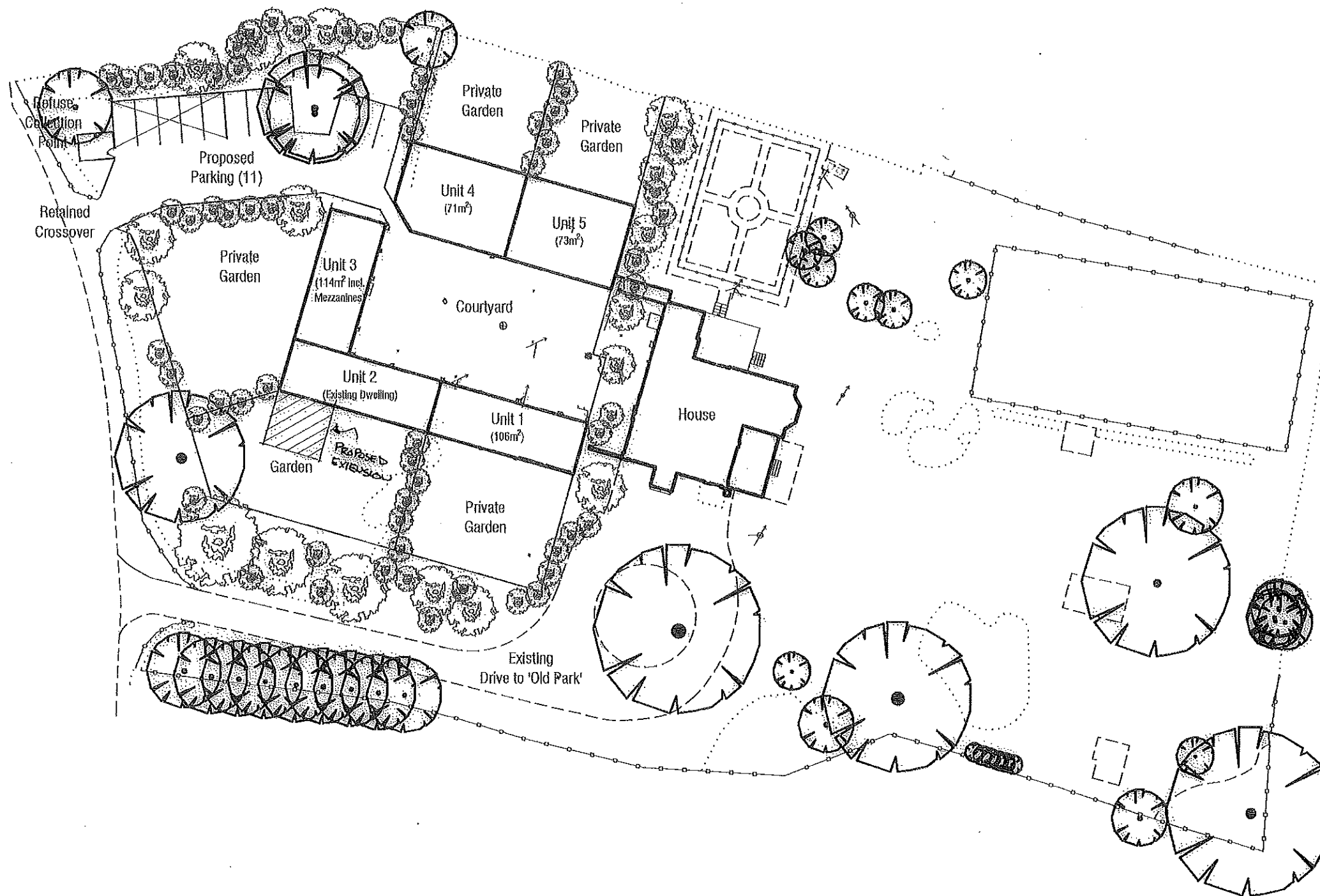
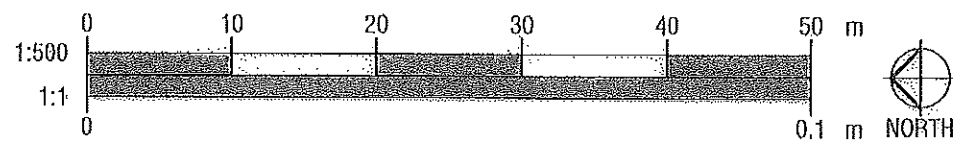


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DATE	01.03.2016	SCALE	1:1250 @ A4
DRAWN	TCB	DRG. NO.	4861-001
CHECKED		REV.	A



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Block Plan
(Proposed)

D: REAR EXTENSION UNIT 2 ADDED.	20.03.18	IB
C: Entrance amended.	31.01.2018	IB
B: Notes amended.	21.05.2017	IB
A: Amended division of existing buildings.	15.09.2016	IB
DATE	03.03.2016	SCALE 1:500 @ A3
DRAWN	TCB	DRG. NO. 4861-003
CHECKED		REV. D

ARCHITECTS

DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/17/1415

Old Park, Horsham Road, Rusper, Horsham, West Sussex, RH12 4QT

DESCRIPTION:

Proposed conversion and rear extension to existing residential outbuildings to form 4x additional dwellings with associated car parking

DETAILED DESCRIPTION:

The application seeks the change of use and conversion of a range of outbuildings at Old Park, Horsham Road, Rusper to form four residential properties. One of the outbuildings (labelled as Unit 2) was granted permission in 1970 as staff accommodation, with the associated legal agreement restricting the use of the building discharged earlier this year.

The proposal seeks to create:

Unit 1 - 1 x 3-bed unit over two floors

Unit 2 - Existing 2-bed unit

Unit 3 - 1 x 3-bed unit over two floors

Unit 4 - 1 x 2-bed unit

Unit 5 - 1 x 2-bed unit

Alterations to the buildings include:

Units 1-3

- East elevation: Filling in of archway access, creation of doorway in place of window
- West elevation: Creation of 2 x doorways in place of windows, filling in of archway access, insertion of window and change of garage door openings to 2 x smaller window openings
- North elevation: Insertion of full height windows in place of smaller window, insertion of two sets of larger windows in place of existing smaller openings
- South elevation: Insertion of full height window opening, repositioning of two existing window openings

Units 4 and 5

- East elevation: Construction of extension
- West elevation: Change of 2 x door openings to windows and change of window opening to door

SITE AND SURROUNDINGS:

The application relates to a range of outbuildings at Old Park, Horsham Road, Rusper. The buildings lie to the east side of the Horsham Road to Rusper, being within the countryside, outside of any defined settlement boundary.. The buildings form an incomplete U-shaped courtyard arrangement located to the north of the main house Old Park, a detached country house set within its substantial grounds, part of which related to a farmstead and the remainder as gardens to the main house.

The arrangement included staff accommodation, games room, art studio, garaging, ancillary office, storage, a boiler room and pool house with a small portion of the eastern range having been used to provide stabling. Old Park and the outbuildings are served by a main drive that sweeps in front of the main west elevation and entrance, and back to the carriage entrance, leading into the courtyard with its stables, carriage storage and staff accommodation. A further gated field entrance is located to the

north of the site and the outbuildings, which has recently been re-opened to provide access to the outbuildings.

RELEVANT PLANNING HISTORY:

HR/103/70	Conversion of one outbuilding, reconstruction of ground floor to form dwelling for employee (From old Planning History)	Application Permitted on 20.11.1970
RS/5/92	Conversion of barn to residential accommodation	Application Permitted on 13.04.1992
DC/16/0533	Site: Old Park House Horsham Rd Rusper Change of use and additions to ancillary residential accommodation to form separate residential units and associated car parking.	Withdrawn Application on 28.06.2016
DC/16/2182	Renovation of ancillary residential accommodation to form separate residential dwellings and associated car parking.	Withdrawn Application on 22.12.2016
S106/17/0001	Discharge of planning obligation, section 37 agreement to regulate occupancy, HR/103/70	Application Permitted on 18.05.2017

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework:

NPPF6 - Delivering a wide choice of high quality homes

NPPF7 - Requiring good design

NPPF11 - Conserving and enhancing the natural environment

NPPF14 - Presumption in favour of sustainable development

Horsham District Planning Framework (HDPF 2015)

HDPF1 - Strategic Policy: Sustainable Development

HDPF2 - Strategic Policy: Strategic Development

HDPF3 - Strategic Policy: Development Hierarchy

HDPF10 - Rural Economic Development

HDPF15 - Strategic Policy: Housing Provision

HDPF16 - Strategic Policy: Meeting Local Housing Needs

HDPF24 - Strategic Policy: Environmental Protection

HDPF25 - Strategic Policy: The Natural Environment and Landscape Character

HDPF26 - Strategic Policy: Countryside Protection

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF40 - Sustainable Transport

HDPF41 - Parking

Neighbourhood Plan

The Parish of Rusper was designated as a Neighbourhood Development Plan Area on 18 February 2016.

REPRESENTATIONS AND CONSULTATION RESPONSES:

Consultations:

Public Health And Licensing (Env. Health), consulted on the 20 July 2017. Their comments dated 1 August 2017 can be summarised as follows: Recommends conditions relating to contamination, air quality, construction management, surface water drainage and floodlighting.

Thames Water, consulted on the 20 July 2017. There was no response from this consultee at the time of report preparation.

County Council - Highways, consulted on the 30 June 2017. Their comments dated 18 July 2017 can be summarised as follows: Recommends conditions relating to visibility, cycle parking and vehicle turning/parking.

Southern Water, consulted on the 30 June 2017. Their comments dated 20 July 2017 can be summarised as follows: A water supply can be provided to the site. Thames Water should be consulted in relation to drainage and wastewater services.

Parish Council Consultation, consulted on the 30 June 2017. Their comments dated 16 August 2017 can be summarised as follows: No objection.

County Council - Ecology, consulted on the 30 June 2017. Their comments dated 20 July 2017 can be summarised as follows: No objection subject to conditions.

Property Services - Drainage, consulted on the 30 June 2017. Their comments dated 16 August 2017 can be summarised as follows: Verbal discussion - no comments to make.

Environment Agency, consulted on the 30 June 2017. There was no response from this consultee at the time of report preparation.

Representations:

No comments received

PUBLICITY:

Advertisement

The application was advertised in the District Post on 7 July 2017.

Site Notice

The nature of the proposal did not require a site notice to be posted.

MEMBER COMMENTS:

No comments received

HUMAN RIGHTS:

Article 8 (right to respect of a private and family life) and Article 1 of The First Protocol (protection of property) of the Human Rights Act 1998 are relevant to the application. Consideration of human rights is an integral part of the planning assessment set out below.

MAIN ISSUES

The main issues are the principle of the development in the location and the effect of the development on:

- The character of the dwelling and the visual amenities of the street scene
- The amenities of the occupiers of adjoining properties
- The existing parking and traffic conditions in the area
- The quality of the resulting residential environment for future occupiers

PLANNING ASSESSMENT:

Paragraph 55 of the NPPF states "Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside."

Policy 2 of the HDPF seeks to maintain the District's unique rural character whilst ensuring that the needs of the community are met by focusing development in and around the key settlement of Horsham, and allows for growth in the rest of the District in accordance with the identified settlement hierarchy. Policy 3 sets out the development hierarchy. The priority is to locate the appropriate development, including infilling, redevelopment and conversion within built-up area boundaries, with a focus on brownfield land. The policy acknowledges that in addition to built-up areas, it is recognised that in order for some communities to continue to be able to grow and develop it will be necessary for them to be able to expand beyond their current built form. By allocating sites in the Local Plan or in Neighbourhood Plans, it will be possible to meet the identified local needs of these settlements and provide an appropriate level of market and affordable housing, as well as maintaining the viability of the smaller villages and towns, for example supporting local schools, or local shops. Policy 10 of the HDPF deals with rural economic development. It states that "Proposals for the conversion of rural buildings to business and commercial uses will be considered favourably over residential in the first instance." Policy 26 deals with protecting the countryside from inappropriate development.

Both Government guidance and policies of the Council seek to protect the open countryside from inappropriate development. Whilst Policy DC24 of the superseded Horsham District Local Development Framework: General Development Control Policies document allowed for the conversion of agricultural and rural buildings for industrial, business or residential uses providing a number of criteria was met, no such policy was carried forward to the HDPF. One of the exceptions of paragraph 55 of the NPPF is that "the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting."

Whilst the buildings are located outside of any defined built-up area boundary, the site is approximately 800m from the built-up area boundary of Rusper and are associated with an existing dwelling on the site. Services such as electricity and water are available to the existing property and the buildings are already in ancillary residential use (storage, games rooms etc) and have been used for agricultural purposes in the past. The buildings appear to be of sound construction and the applicant has not advised that any re-construction works are required.

With the exception of the extension proposed to the rear elevation of units 4 and 5, works to the buildings to enable their conversion to residential are minimal and primarily involve the alteration of window and door openings. The extension proposed, whilst doubling the size of units 4 and 5, is sympathetically designed and will enable the re-use of the building which are considered by the Council's Conservation Officer to be non-designated heritage assets.

Domestic curtilages will be created for each of the proposed dwellings, with a communal parking area created between the buildings and the highway. Hardstanding has already been created in this location. Hedging is proposed to be planted to form the boundaries of the garden areas between the properties however to ensure that the planting is appropriate for the rural locality and to ensure that the large expanse of hardstanding and proposed car parking area is screened from view, it is recommended that a landscaping condition is imposed requiring details to be submitted and agreed.

Concerns have been raised by the Council's Environmental Health Officer in respect of land contamination and the suitability of the site for residential purposes. In respect of land contamination a condition has been suggested requiring further investigative works to be carried out.

No objections have been raised to the scheme by West Sussex County Council in respect of highway safety. It is considered that the dwelling would not impact on any neighbouring occupier's amenities,

including the privacy and amenity of the existing property on the site, as there is sufficient distance and screening between properties.

In terms of ecology, the Council's Ecology Consultant has advised that a number of low conservation significance roosts have been identified within the buildings, and, as such, The Ecology Consultancy has proposed that a bat low impact class licence (BLICL) will be required from Natural England to allow works to proceed legally. No concerns regarding the proposed mitigation has been raised by the Council's Ecology Consultant. Section 5 of the submitted Preliminary Roost Assessment provides details of mitigation and avoidance measures that seek to ensure that the favourable conservation status of the species in the local area will not be affected by the proposed works. Conditions have been recommended in respect of an ecological mitigation and management plan being submitted for agreement and no external lighting being erected unless and until it has been agreed.

For the reasons outlined above, it is considered that on balance the proposal meets the requirements of the relevant policies of the HDPF and complies with guidance contained in the NPPF, and is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

- 2 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until an Ecological Mitigation and Management Plan has been submitted to and agreed in writing by the Local Planning Authority. This will include details of precautionary avoidance measures with regards to protected and notable species such as reptiles, nesting birds and hedgehogs. The EMMP will build upon the information already provided within the ecology reports from The Ecology Consultancy, and may require modification following the licence agreement with Natural England. Pre-works, during works and post-works measures (including enhancements such as swallow nest cups) should be included. Any such measures shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement in accordance with the Conservation of Habitats & Species Regulations 2010 (as amended), The Wildlife and Countryside Act 1981, NPPF and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 3 **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

- (c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** Prior to the commencement of any works of demolition or refurbishment all asbestos containing materials shall be removed by an appropriately licensed and competent contractor. A written report detailing these works shall be submitted to and approved in writing by the local planning authority. The report shall include details of validation measures undertaken to ensure the all areas where works have been undertaken are free from asbestos.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:

- a. An indicative programme for carrying out of the works;
- b. The arrangements for public consultation and liaison during the construction works;
- c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- d. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e. the parking of vehicles of site operatives and visitors;
- f. loading and unloading of plant and materials;
- g. storage of plant and materials used in constructing the development;
- h. the erection and maintenance of security hoarding including decorative; displays and facilities for public viewing, where appropriate
- i. wheel washing facilities;
- j. measures to control the emission of dust and dirt during construction;
- k. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of the neighbouring properties; during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials

and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of secure (and covered) cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** Within six months of the implementation of the development, maximum visibility splays shall be provided at the site access onto Horsham Road in accordance with a plan to be submitted to and approved by the planning authority. These splays shall thereafter be kept clear of all obstructions to visibility above a height of one metre above the adjoining road level.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse/recycling has been made for that dwelling (or use) in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The approved landscape scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a landscape management plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** No external lighting or floodlighting shall be installed unless a lighting strategy has been prepared in consultation with the applicant's ecologist, and submitted to and approved in writing by the Local Planning Authority. Any lighting that is installed shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015), and to provide ecological protection and enhancement in accordance with the Conservation of Habitats & Species Regulations 2010 (as amended), The Wildlife and Countryside Act 1981, NPPF and Policy 31 of the Horsham District Planning Framework.

- ~~14 **Regulatory Condition:** If contamination, including presence of asbestos-containing materials, not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.~~

~~Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).~~

- ~~15 **Regulatory Condition:** There should be no importation of soil and other fill materials onto the development site unless the soil/fill has been certified as fit for purpose by a competent person and has been subject to analysis by an accredited laboratory to ensure that it is free from contamination.~~

~~Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).~~

- 16 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes A, B, C, D, E, F, G and H of Part 1 and Classes A and C of Part 2 of Schedule 2 (amend classes and schedule as necessary) of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and to protect the character and appearance of the buildings; in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

Please be advised that there are conditions on this notice that will require the submission of details to be submitted for approval to the Local Planning Authority. To approve these details, you will need to submit an "Application for approval of details reserved by condition" with an application form and pay the appropriate fee. Guidance and the forms can be found at www.planningportal.co.uk/planning/applications/paperforms.

NOTE TO APPLICANT

Under the Conservation of Habitats and Species Regulations 2010, it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that it is the opinion of the Local Planning Authority that a Natural England European Protected Species (EPS) licence will be required before any work is undertaken to implement this planning permission so far as those works affect bats or the identified roosts. Other works outside this planning permission (such as restoration) could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with any work of this nature.

NOTE TO APPLICANT

Please note that Southern Water require a formal application for connection to the water supply in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk.

NOTE TO APPLICANT

No permission is granted or implied for the construction of any garage, car-port or other structure within the curtilages of the dwellings hereby approved.

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 and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

IS RECOMMENDATION CONTRARY TO THE PARISH COUNCIL'S VIEWS?

NO

Plans list for: DC/17/1415

Schedule of plans/documents approved:

Plan Type	Description	Drawing Number	Received Date
Location plan	Site Location Plan	4861-001 REV A	23.06.2017
Block plan	Block Plan (Proposed)	4861-003 REV B	23.06.2017
Roof plan	Units 4-5 Roof Plan (As Proposed)	4861-037	23.06.2017
Floor plan	Units 1-3 First Floor Plan (As Proposed)	4861-033	23.06.2017

Floor plan	Units 4-5 Ground Floor Plan (As Proposed)	4861-036	23.06.2017
Elevation plan	Units 1-3 Elevations 1 of 2 (As Proposed)	4861-034	23.06.2017
Elevation plan	Units 4-5 Elevations (As Proposed)	4861-038	23.06.2017
Elevation plan	Units 1-3 Elevations 2 of 2 (As Proposed)	4861-035	23.06.2017
Floor plan	Units 1-3 Ground Floor Plan (As Proposed)	4861-032 REV B	23.06.2017

