

Report to	Planning Committee
Date	19 July 2017
By	Head of Planning Services
Local Authority	Chichester District Council
Application No.	SDNP/16/04519/FUL
Applicant	Mr & Mrs James Scott-Webb
Application	Replacement dwelling and associated garaging.
Address	Copse Cottage, Norwood Lane, East Lavington Petworth, West Sussex, GU28 0QG

Recommendation: That the application be approved for the reasons and subject to the conditions set out in paragraph 10 of this report.

IMPORTANT NOTE: This application is liable for Community Infrastructure Levy.

Reason for Committee Referral: Red Card: Cllr Elliott – Important information/opinion to raise in debate

Executive Summary

The proposal is for the demolition of the existing dwelling on the site and its replacement with a new two-storey dwelling and garage and store building. The application site is located within the Rural Area and not within any defined Settlement Policy Area (SPA). Both saved Local Plan policy H12 and the emerging South Downs Local Plan policy SD45 support the principle of replacement dwellings in Rural Areas.

The proposal involves the demolition of the existing dwelling, however, given that the building is not statutorily protected (i.e. it is not listed) a replacement building that makes a positive contribution to local character and distinctiveness through its design and use of good quality materials could outweigh the harm resulting from its loss. The new dwelling is considered to be well-designed, reflects local distinctiveness and its local context and is considered not to detract from the character or appearance of the area.

Whilst it is acknowledged that the replacement dwelling will be larger and more visible within the landscape than the existing dwelling on the site it is considered that, on balance, due to the high quality of the design reflecting the Sussex farmhouse vernacular which is common to the local area and utilising local materials, the proposal represents an appropriate replacement and the benefits of the development will outweigh any harm caused by the loss of the existing dwelling which has limited heritage significance. The application is therefore recommended for approval.

1 Site Description

Copse Cottage is located off Norwood Lane to the east of the village of Graffham. The application site is located on the north side of a single width access drive which is also a public footpath leading towards Graffham to the west. Copse Cottage sits within a curtilage that measures approximately 1 acre and this backs onto woodland sited on rising ground and the majority of which is ancient woodland, to the west and north-west and open paddock land to the north-east. The woodland and paddock are within the ownership of the applicant. The southern boundary of the site is formed by a well-established native hedgerow with a gated access. To the south of the site on the opposite side of the access drive is open paddock land. A public footpath crosses this land in a north-east south-west direction and connects to a public bridleway some 150 metres to the south of the site. Long distance views of the application site are possible from this bridleway. Further public footpaths are located to the north-west of the site (within woodland) and to the north-east although views of the site from this direction are limited. The area has a distinctly rural farmland character with areas of woodland and is interspersed by pockets of development which are mainly visible in distant views from the site. The main ridge of the South Downs lies some 1.5-2.0 km to the south.

Copse Cottage comprises two main elements; the original two-storey cottage constructed from brick, stone and render with a plain clay tile roof and dates from the 18th century; and a large single storey flat roofed extension dating from the mid-20th century. The original cottage has been altered over the years with minor additions and alterations and replacement of original features. The more modern extension is considered to be of poor construction with inappropriate materials and appears to be in poor condition. The original cottage is considered to have some minor historical significance through its modest compact vernacular character and relationship with the landscape.

2 Proposal

The proposal is for the demolition of the existing dwelling on the site and its replacement with a new two-storey dwelling and garage and store building. The new dwelling will be sited largely in the same position as the existing dwelling although it will be sited slightly further into site and will be set into the ground (by 1.15m) in order to reduce its apparent impact on the landscape. The proposal makes use of the sloping nature of the site to partially set the rear part of the dwelling into the ground.

The design of the new dwelling draws upon the Sussex farmhouse vernacular and will be constructed from traditional materials including local stone with brick detailing and plain clay tiles. The floor space of the new dwelling will be 278 sqm and the southern element of the building has a more formal layout whilst the rear has been designed to be more subservient in its appearance.

The garage and store building will be single storey and designed to have an agricultural appearance, sited adjacent to the south-east corner of the site and screened by existing vegetation. The building will have a green oak structure with walls constructed from stone and brick with a plain clay tile roof.

The site access will remain as existing.

3 Relevant Planning History

SDNP/13/01922/PRE Demolition of existing dwelling and replace with new dwelling.

SDNP/13/04792/FUL Proposed stable and track. Approved.

SDNP/14/03791/FUL Replacement house, garage and associated landscaping.
Withdrawn.

SDNP/15/01563/APNDEM Demolition of farm cottage. Withdrawn.

4 Consultations

4.1 East Lavington Parish Council

East Lavington Parish Council has now considered the above named planning application as invited in your Parish Comments Letter dated 19th September 2016, and recommends strongly that the application should be refused in its present form.

Councillors' main concern with the proposed replacement dwelling is the significant increase in overall scale by contrast with the existing cottage. ELPC considers that the proposed new dwelling would be completely out of place in this isolated rural setting and would have a detrimental visual impact. It has the appearance of a much larger and more assertive building which would introduce an alien and urbanising effect to the rural character of the site and the wider area.

The first major issue is the height of the proposed new dwelling in the planned location. The site lies on top of a small hill 58 metres/200 feet high which falls away to the east. It is the highest point for almost one mile around and is particularly prominent from the south. There are no neighbouring dwellings within 200 metres.

The present dwelling, an attractive late 18th Century cottage is highly visible especially from the south, from one bridleway, two public footpaths, and distant views from the South Downs. However the cottage is primarily one and a half storeys high, sits comfortably in the location and blends in well with the rural landscape, with the oldest part of the cottage being the most noticeable.

By contrast, the new dwelling would be at least 3.54 metres/12 feet higher than the cottage, and therefore much more prominent due to its height and massing, the problem being exacerbated by the main mass and height of the building facing south, i.e. in the most prominent and exposed direction.

The height of the proposed dwelling actually exceeds that of the recently withdrawn 2014 application, (SDNP/14/03791/FUL), by approximately 2.14 metres/7 feet and that earlier application was not supported by officers due in part to concerns about height and massing in this location.

The applicant is well aware of the problem, since he is proposing to disguise the apparent height and massing by reducing site ground levels by more than a metre, so that the height increase will appear to be “only 1.4 metres”...4.75 feet!

ELPC councillors are resolutely opposed to this idea with our bitter experience of Popple Meadows. In that case, the basement of a two storey house to be built on a forward slope was to be invisible following the digging. In the event, the case officer allowed the building to move a short distance down the slope, in order to save a tree. The result was a very visible three storey house. This event was followed by two years of enforcement action to try and mitigate the damage caused, and the tree was cut down anyway.

We have no doubt that if the digging in the present case meets an obstacle...pipes, roots, rocks, subsidence or something else a considerate case officer will waive the condition, rather than force a return to the drawing board, believing that a height rise of just one metre does not warrant such harsh action. If the digging were to proceed even to a depth of one metre, it is calculated that around 665 cubic metres of spoil, mostly clay, would have to be moved, up to 50 eight wheel tipper truck loads if removed from site.

(In view of councillors' concern that the ground level will never be achieved, the extra metre of apparent height reduction has not been included in figures provided above).

The next major issue is massing. This is especially important with regard to the south elevation of the proposed dwelling and even more so when considered in conjunction with increased height. ELPC is aware that some steps have been taken to mitigate the effects of massing, by adding “wings” to house the kitchen and orangery, and using different roof levels on the north side. However, these features will have no positive bearing on the appearance of the south elevation, since from a distance the fact that they are set back will not be evident.

The south side is the most sensitive aspect due to extended views and the presence of three public rights of way in close proximity. It is this aspect that is easily the most prominent; the high tiled roof, the very large sash windows and the height of the building from ground level to eaves all combine to create a strongly assertive, urbanising effect on this rural landscape.

The effect is much more noticeable than with the 2014 application, since in that case the overall height was lower even though the main mass was slightly wider. The roof this time looks much higher, because it will be tile covered rather than slate covered, and the ground level to eaves height appears greater.

The existing cottage is slightly less than 2,000 square feet, and has no garage. By contrast, the new dwelling would be 3,000 square feet with an additional 1,000 square feet for the combined triple garage, games room, workshop, generator room and WC. In the opinion of ELPC this doubling of the amount of buildings on the site would constitute an over capitalisation, and would detract significantly from its rural appearance. In addition, it would be quite out of keeping with the size and appearance of the majority of other dwellings in the immediate area.

In terms of design approach the proposed dwelling has the appearance of a mock Georgian mansion, particularly when looking towards the prominent south elevation. This design could well be acceptable in the centre of a large village or town situated among other houses of similar height and appearance. In this location, however the design introduces suburban features that will not integrate into the rural landscape context.

ELPC's comments so far reflect primarily councillors' views on this application. However, the proposed dwelling conflicts in very many ways with the statutory objectives of the South Downs National Park, as well as CDC and SDNP policies regarding replacement dwellings in the rural area of the Park:

- SDNP Statutory Objectives. "To conserve and enhance the natural beauty, wildlife and cultural heritage of the area". ELPC cannot accept that the proposal can do more to conserve and enhance the natural beauty and cultural heritage than the present cottage
- CDC Saved Policy H12. Proposals should not "detract from the rural character and appearance of the existing dwelling and/or the surrounding area, by virtue of scale, mass or design, particularly in the areas of outstanding natural beauty, where proposals should not detrimentally increase the bulk of the building visible from public vantage points". The application fails miserably on this point
- Draft SDNP Policy SD45, due to adopted in 2018. Although still draft, it is noted that this policy must be given some weight in reviewing proposals:
 - "Proposals for the replacement of an existing dwelling [will be considered] where the existing dwelling does not make a positive contribution to the character and appearance of the locality"
 - "The replacement dwelling is not materially larger than one it replaces"
 - "...does not compromise the established character of the pattern of the surrounding area...is not overbearing"
 - "does not increase the floor space of the [existing] dwelling by more than 30%"
- In addition, guidance from the SDNP website for those considering seeking pre-planning application advice:
 - SDNP has the highest level of protectionoutstanding landscapes
 - Development....sitting comfortably within its site and setting
 - Respond to the scale and character of the existing and/or neighbouring buildings
 - Make a positive contribution to local character
 - Conserve and enhance key views
 - Conserve and enhance local cultural heritage

In the opinion of ELPC, the proposed development fails to meet every one of the objectives, policies and guidance quoted above.

The existing cottage has a relatively low visual impact, being of just one and a half storeys with a flat roofed extension. In this context, we note the applicant's claim that the ceiling heights in the cottage are less than six feet. ELPC considers this to be an extremely misleading statement.

All the ceilings in the cottage are of normal height. The only height restriction is in the second bedroom where the ceiling slopes towards the east and west walls due to the one and a half storey design.

Constructive and frequent advice has been provided to the applicant by officers during a protracted “informal” pre-planning application phase. Unfortunately, much of it seems to have been ignored, since the present proposal is unchanged in all essentials from the previous 2014 planning application, which has only recently been withdrawn. Indeed, the currently proposed dwelling is higher than in the earlier application. In addition, the potential assertiveness has not been addressed; the massive appearance of the south facing elevation is now even more noticeable, and it is this elevation which will be most noticeable from public vantage points on nearby rights of way.

The “informal” pre-planning application process was conducted over a period of 18 months from January 2015 to August 2016. During that period, several meetings were held at council offices and on site, several draft drawings were submitted and discussed and many emails were exchanged.

This process was apparently carried out as a follow-on to the 2014 application, which officers were unable to support, but no documents associated with this activity were posted on that or any other website during the 18-month period.

The activity only came to light due to a reference on the application form for the new 2016 application which noted that pre-planning application advice had been given by officers at several meetings related to size, massing and design approach. The last meeting was on 24th June 2016. Were it not for this reference, our District Councillor, other councillors and the general public would have been completely unaware of what had been happening.

No explanation has yet been provided for this situation, which ELPC considers to be highly unsatisfactory, wholly irregular, and completely lacking in the transparency which is expected of local government.

Turning to the existing cottage, ELPC made clear in its comments on the 2014 application that councillors could not accept the applicant’s assertion then that the existing cottage was “undistinguished. Equally we reject absolutely the comment made in the present application that the “the existing dwelling was not befitting of this prime location”. Councillors regard this to be an arrogant statement that completely underestimates the contribution of the present cottage to the local landscape and to the historical interest of this rural area.

At the time of the 2014 application, the Historic Building Advisor was supportive in her comments regarding the cottage. She was not able unhesitatingly to state that it would deserve Non-Designated Heritage Asset status but she did note the contribution Copse Cottage makes to the cultural heritage of the SDNP, remarking on the cottage’s claim to interest being its overall form and proportion, its modest, compact and vernacular character, and its wider relationship with the rural context, which were of cultural interest, given that the cottage is prominent on the public right of way.

In January 2015, the applicant submitted a heritage statement, written by a prominent local historian and archaeologist. This statement endorses the view that the cottage lacks sufficient specific architectural merit to warrant N-DHA status, but on the other hand provides a vast amount of detail regarding the history of the cottage and its relationship with the history of the immediate area. In so doing, the author sustains extremely well ELPC's claim that the cottage should not be wantonly destroyed to make way for a new dwelling whose design is alien to the area.

In considering the proposed destruction of this old cottage Councillors feel obliged to ask the question: how can a new neo-Georgian mansion possibly do more to achieve SDNP's key objective to conserve and enhance the landscape, scenic beauty and cultural heritage of the area than would be achieved by preserving the cottage?

Finally, in our response to the 2014 application to demolish and then replace Copse Cottage, ELPC made clear that councillors were not opposed in principle to some redevelopment of the site. Our view then and now is that a proposal that involved retention of the old part of the cottage, combined with a sympathetic and appropriate one and a half storey extension, would in principle gain councillors' support. It should be in keeping with the rural setting in terms of its size, height and overall design, and in particular, the ridge line should not exceed the current one.

4.2 WSCC Highways

I refer to your consultation in respect of the above planning application and would provide the following comments.

West Sussex County Council was consulted previously on Highway Matters for a replacement dwelling at this application and provided a response dated 10/09/2014 raising no highways safety or capacity concerns to the proposal. The application was later withdrawn by the applicant.

After inspection of the documents provided the principle of this application is for a replacement dwelling, the location of the access point into the site is to remain unchanged. There would not be any anticipated change in the number of vehicular movements associated with the site and therefore no concern raised to the principle of this application.

The site is accessed via a long private access drive which is also considered to be a definitive public right of way (F.P.989). The granting of planning permission does not authorise obstruction of, interference to or moving of any PROW; this can only be done with the prior consent of West Sussex County Council's Rights of Way team. Safe & convenient public access is to be available at all times across the full width of the PROW. The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals. Any alteration to or replacement of the existing boundary with the PROW or the erection of new fence lines, must be done in consultation with West Sussex County Council's Rights of Way team to ensure the legal width of the path is maintained and there is no unlawful encroachment.

If the LPA are minded to grant planning consent the following conditions would be advised:

Vehicle parking and turning

No part of the development shall be first occupied until 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.

Cycle parking

No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

4.3 HCC Landscape Adviser

This proposal has been considered by means of one site visit and a desktop study, using the information and plans submitted with this application, in conjunction with other available map information and site photos.

Relevant Landscape Policy Check

- National Planning Policy Framework (NPPF) para 115, 116
- South Downs National Park Partnership Management Plan 2014-2019;
- South Downs National Park Integrated Landscape Character Assessment (SDILCA) : Landscape type L: Wealden Farmland & Heath Mosaic <http://www.southdowns.gov.uk/wp-content/uploads/2015/03/ILCA-Appendix-L-Wealden-Farmland-and-Heath-Mosaic.pdf>
- Historic Landscape Characterisation of Sussex (West Sussex County Council)
- Guidelines for Landscape & Visual Impact Assessment (GLVIA), 3rd edition, Landscape Institute

The site falls within the L2: Rother Farmland and Heath Mosaic landscape character area as defined in the SDILCA, described as 'essentially a quiet landscape with a high sense of 'naturalness' deriving from the mix of woodland and heathland. Opportunities for countryside access are provided by ... an extensive network of public rights of way.' (L2.5)

Relevant Development Considerations for this character area include:

- Conserve the rural character of the villages and their setting through design guidance to discourage the introduction of suburban features such as artificial lighting, concrete kerbs, Leylandii hedges, and suburban style fences.
- Maintain a consistent palette of building materials including local sandstones, which vary in colour from light yellow to dark purple-browns, red brick detailing (particularly around windows and doors), timber boarding, and clay tile.
- L2.13 Ensure that any further built development is integrated into its landscape context using native vegetation.

The Site

The site, containing existing white rendered cottage and single storey extension, lies in an elevated position to the west of Norwood Lane. A mature woodland belt forms the western boundary, and a tall established hedgerow follows the southern (front) boundary where it overlooks open fields and the Downs in the distance.

The Proposal

The proposed replacement dwelling is a taller, two storey house, extending over the existing footprint. A new garage block is also proposed behind the hedgerow in the southeast corner.

Landscape Effects

The design, scale and materials of the development are important in relation to the elevated position and open landscape character to the south.

Scale: The proposal is to reduce levels where the new building is to be sited, so that the increase in overall height is minimised. The proposed ridgeline, 1.42m higher than existing, remains below the height of the surrounding trees, and the land profile indicated by the sections appears sympathetic to its setting. The garage block is an additional structure, its highest ridgeline appearing to be at approximately 59.3m. (above datum). It will be important to ensure that this complex is set at a level to remain largely screened from view, to avoid increasing the apparent number of buildings on the site.

Level changes and excavated material: Material excavated to reduce levels is to be retained and deposited elsewhere on site, and in the adjoining field. It will be important to ensure that this is graded to contours sympathetic with the local landform, and not appear as bunds or mounds. Filling within the site should avoid affecting the health of the adjoining hedgerow and trees

Design: The proposed external building materials appear to be appropriate and reflect the local character.

Boundary treatment: The proposal states that existing site boundaries will remain unchanged.

Existing and proposed vegetation: Two Lawsons Cypresses are to be removed. Proposals indicate that all other boundary trees and mature vegetation is to be retained, carefully pruned and supplemented. Proposed planting is indicated as low level decorative planting around the new house and terraces.

Visual Effects

There is intervisibility with the S Downs and there are close range views of the property from a number of local public rights of way: i) the adjoining public right of way (FP989), ii) Footpath 990 to the E and SE, and, iii) Bridleway 989 to the S.

Views from other public viewpoints are relatively restricted by a dense hedgerow and woodland to the W and SW.

The sympathetic and recessive materials and finishes of the proposed buildings would reduce its prominence in local and long range views.

Summary and Recommendations

There is no objection to the proposals, subject to provision of the following additional information:

- Confirmation that the garage complex will be screened by the boundary vegetation.
- Details of proposed planting, including appropriate native species, planting densities and management proposals.
- Vegetation protection measures during demolition and construction phases.
- Method statement for the distribution of excavated material from 'house dig', including proposed contours and seeding with a mix appropriate to the local landscape.

4.4 **CDC Conservation and Design Manager**

Advice to Planning – Proposal not supported

Significance

Setting

Copse Cottage is unique in that it sits to the west of Norwood Lane rather than within the nucleated village; adjacent to an area of ancient assart woodland known as Jays Furze (or Tays Furze). Within the National Wealden Greensand Character Area (NCA120) many ancient woodlands have survived to provide wooded backdrops creating the sense of an intimate landscape. Through this, tangible connections to the area's history can be appreciated. For instance, coppicing trees and shrubs was an important part of the rural economy. Heritage assets provide clear links to the NCA's cultural history.

The organic mosaic landscape which typifies landscape type L3 as identified in the SDILCA is evident here, through the juxtaposition of medieval woodland, medieval aggregate assart fieldscapes, and early post-medieval enclosure fieldscapes. The typical settlement form of this area is of irregular small-scale agglomerations of common-edge settlement representing squatter settlement on the edges of commonland. The early post-medieval settlement of Upper Norwood is typical of this.

The area has good public access as a result of a number of Registered Commons, Open Access Land and good public rights of way network. A network of footpaths and bridleways in the immediate area afford close range views of Copse Cottage, as well as inter-visibility with the South Downs. Many of these follow historic footpaths, allowing for appreciation of Copse Cottage within its setting as it historically would have been seen, and traverse other historic features which would enhance the perception of history in this part of the SDNP.

Non-designated heritage asset

Copse Cottage is reached via an informal track from Norwood Lane. As compared with the vegetated enclosed character of the lane, the track is distinct in its more open and rural qualities. It is a modest building in form, scale and character, notably smaller than many of the historic properties in the vicinity yet sharing many vernacular details. It has an informal relationship with the site on which it sits and in its orientation with the track; its primary elevation looking east back towards the village.

The cottage contains historic interest as an early 19th century building of a modest vernacular character. Materially, it is considered to hold a limited level of heritage interest within its fabric, though important elements such as the stairs within the historic core are intact. Whilst it remains unclear whether the roof holds any significance in its fabric, the form of the building is distinctly historic. The building also holds a level of interest in terms of its plan form and compact spatial character, the most historic element of which remains intact with limited openings to the twentieth-century elements.

It has seen progressive periods of extension in response to the changing needs of owners and occupants over time as evidenced by the various additions. Subsequent historic additions to buildings do not necessarily detract from the quality of a building. In fact, they are often of interest as part of the building's organic history and may help to inform its overall significance. In themselves, they may be indicative of changing social attitudes and tastes, as with the twentieth-century addition in a contemporary idiom. In this instance, both the vernacular addition to the rear and the contemporary style addition are considered neutral.

Although unlikely to be of listable quality, the historic interest of Copse Cottage lies in its modest vernacular form, scale and character, which mutually benefits from and contributes to its rural setting. The retention of at least some of original fabric and historic form of the building should be considered in the context that Copse Cottage has stood in its present location for a considerable period of time, which has changed relatively little.

It has been suggested that it was built as a woodcutter's cottage for the East Lavington Estate, as may be suggested by the name Copse Cottage. If this can be substantiated, it would enhance its claim as a non-designated heritage asset as well as its contribution to the cultural heritage of the SDNP. It may also have a rarity value as building relating to a specific working function. The tithe apportionment does not immediately appear to support estate ownership of the cottage, particularly if it was a tied cottage. Estate records may provide some clarity as to when it was acquired prior to being sold off in 1941.

Significance

Copse Cottage's primary significance lies in the contribution it makes to the character of the area, as a small cottage of modest character on the edge of the woodland, with which it may have functioned. This intrinsic character is important to the progression along the track into the countryside beyond the village lane. Its modest scale and location against the woodlands remains legible and therefore contributes to the cultural heritage of the South Downs National Park.

Assessment of Impacts

Whilst the proposed south elevation has been reduced in scale (i.e. height and frontage) and is a well-considered design in the provincial Georgian manner when considered in isolation, we are not yet convinced to its appropriateness within this historic environment. Previous HBA involvement (last in late October 2015) expressed concern with the polite approach. As now proposed, the building remains quite polite and grand in its design, and incorporates polite garden elements such as the walls with piers surmounted by round capitals.

Architecturally there does not appear to be precedence for this approach in the area, which tends more towards either earlier pre-Georgian buildings or later Victorian and twentieth-century buildings.

The building has been designed to look as if it has experienced growth over time, primarily to the rear. Although this serves to reduce the bulk and scale of the primary element, in doing so it could also appear misleading or confuse understanding of the landscape here in this more polite idiom, which would not be the case if it were designed as a more modestly detailed vernacular building with a more natural relationship to the site.

The outbuilding appears overly complex and contrasts with the more polite approach to the main dwelling.

Conclusion

The natural and built historic environment here, which is informed by the modesty of Copse Cottage, contributes to local distinctiveness and the cultural heritage of the South Downs National Park. As a constituent element of this, its significance as a potential non-designated heritage asset is therefore enhanced by the 'great weight' afforded to cultural heritage in National Parks under paragraph 115 of the Framework.

In this instance, total loss of the building is likely to result in harm to the character and appearance of the area. The scale of the harm resulting from this proposal does not appear to be outweighed. The loss of a potential non-designated heritage asset would need to be mitigated by the exceptional design quality of the replacement, such that the SDNP would benefit from having it. Alternatively, the replacement structure would need to reinforce the contribution of the existing building through a design of a comparable character.

4.5 CDC Environmental Strategy Unit

Waiting for comments – to be updated at Committee.

5 Representations

3 third party objections, raising the following concerns;

- a) demolition of the existing property;
- b) size and scale of the replacement dwelling and garage;
- c) impact on the countryside and SDNP; and
- d) existing cottage should be retained and enhanced.

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for this area comprises the Chichester District Local Plan 1999 and all made neighbourhood plans. There is no made neighbourhood plan for East Lavington Parish at this time.

Policies relevant to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in the English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework policies have been considered in the assessment of this application:

National Planning Policy Framework: Core Principles, Paragraphs 17 (Sustainable Development) and Section 7 (Good Design), Section 11 (Conserving and enhancing the natural environment), Section 12 (Conserving and enhancing the historic environment).

Chichester District Local Plan 1999

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the Chichester District Local Plan 1999 are relevant to this application:

RE1 - Development in the Rural Area Generally
BE4 – Buildings of Architectural or Historic Merit
BE11 - New Development
BE14 – Wildlife Habitat, Trees, Hedges and Other Landscape Features
H12 – Replacement Dwellings and Extensions in the Rural Area

Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following policies of the SDNPA Partnership Management Plan 2014 are relevant to this application:

- General Policy 1
- General Policy 3

South Downs Local Plan Preferred Options 2015

The draft South Downs Local Plan Preferred Options 2015 was approved for consultation by the South Downs National Park Authority on 16 July 2015. The public consultation on the document took place in September and October 2015. The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight and are not relied upon in the consideration of this application.

The following policies are considered relevant to this application:

SD5 – Landscape character
SD6 – Design
SD8 – Relative Tranquillity
SD9 – Dark Night Skies
SD11 – Historic Environment
SD37 – Trees, Hedgerows and Woodland
SD45a – Replacement Dwellings

8 Planning Assessment

The main issues arising from this proposal are:

- i) The principle of the replacement of the existing dwelling with a new dwelling
- ii) The heritage significance of the existing dwelling and its proposed demolition
- iii) The design and appearance of the replacement dwelling
- iv) The impact of the replacement dwelling on landscape character including the wider SDNP

i) The principle of the replacement dwelling

The site is located within the rural area and not within any defined Settlement Policy Area (SPA). Both saved Local Plan policy H12 and the emerging South Downs Local Plan policy SD45 support the principle of replacement dwellings in Rural Areas. The existing dwelling has a floorspace of approximately 180 sq.m (original cottage 95 sq.m) and is sited within a curtilage that is in excess of 450 square metres (3,400 sq.m). Therefore Copse Cottage does not fall within the definition of a 'small dwelling' as set out in either policy due to the size of its curtilage. The acceptability of the scheme will turn on whether the scale, mass or design of the replacement dwelling is considered to be appropriate and sympathetic to the rural character and appearance of the surrounding area and whether the design quality is considered to be sufficient to outweigh any harm caused by the loss of the existing dwelling.

ii) The heritage significance of the existing dwelling and its proposed demolition

The heritage significance of Copse Cottage has been assessed both by the applicant's heritage consultant and by the council's Historic Building's Advisor (HBA). The applicant's heritage consultant concludes that the cottage has no particular significance to those who lived there and although it may have originally been an East Lavington Estate workers cottage this is not of special cultural significance. Furthermore, it is only the aesthetic value of Copse Cottage that may seem attractive when viewed from the public footpath to the south but what is visible today is a much altered and extended version of the original cottage. He concludes that very little of the original cottage is visible today because of the extent of alteration that has taken place.

The Council's HBA has looked into the significance of Copse Cottage and whilst it is not considered to be a building that is of listable quality its significance lies in the contribution it makes to the character of the area, as a small cottage of modest character on the edge of the woodland, with which it may have functioned. The intrinsic character is important to the progression along the track (public footpath and access) into the countryside beyond the village lane (Norwood Lane). Its modest scale and location against the backdrop of the woodlands remains legible and therefore contributes to the cultural heritage of the SDNP. The HBA concludes that Copse Cottage has the potential to be a non-designated heritage asset but holds a limited level of heritage interest within its fabric.

Therefore whilst the opinions of the relevant heritage experts differ slightly as to the significance of Copse Cottage it is clear that the building has some historic interest derived from its modest vernacular form, scale and character which mutually benefits from and contributes to its rural setting.

In this case the proposal involves the demolition of Copse Cottage, however, given that the building is not statutorily protected (i.e. it is not listed) and the significance that has been identified relates mainly to the contribution the building makes to its landscape setting, a replacement building that makes a positive contribution to local character and distinctiveness through its design and use of good quality materials could outweigh the harm resulting from its loss.

iii) The design and appearance of the replacement dwelling

The applicant's architect explains in the Design and Access Statement submitted with the application that the replacement dwelling has been designed to reflect the Sussex farmhouse vernacular which is a common style of architecture within the local area utilising local stone with brick detailing, timber sash windows and red clay tiled roofs. The rear section of the new house (east and north facing elevations) has references to the 17th century Sussex Farmhouse vernacular whilst the south block has a slightly more formal style which suggests it is a slightly later addition. The single storey 'orangery style' element on the west side of the house is designed to reflect what could have been a later 'Victorian' addition to the property. This design approach is intended to suggest the house has developed over time but also helps to break up its mass and bulk thereby reducing its impact on the character and appearance of the local area.

The HBA and the Parish Council have both made reference to the fact that the new dwelling has a Georgian character to it and therefore a degree of formality which does not reflect the character of the existing cottage. Whilst officers consider the building to have some Georgian influences it is a well-designed building with a rural character that reflects the local vernacular particularly in terms of the materials used in its construction.

It is acknowledged that the new dwelling is larger than the one it is proposed to replace both in terms of floorspace but also in terms of its height and therefore its mass and bulk. The replacement dwelling has a floorspace of 278 sq.m which is an increase of 97sq.m (53%) over the existing dwelling which has a floorspace of 181 sq.m. The design of the new dwelling means that it is to have varying eaves and ridge heights but it is also to be set into the ground at a level 1.15 metres lower than the existing dwelling on the site. The south wing of the building (the most visible part of the building) will have a ridge height of 8.34 metres and an eaves height of 5.5 metres. This compares to a ridge height of 6.0 metres and eaves height of 3.8 metres for the existing dwelling. However, the lower level at which the dwelling is to be set into the ground means that the ridge and eaves heights of the new dwelling will sit at a level 1.42 metres and 1.2 metres above the existing dwelling. The concern of the Parish Council with regard to the setting of the building at a level 1.15 metres lower than the existing dwelling is noted, however after having visited the site, officers are confident that this can be achieved and it is proposed to impose a condition requiring the building to be constructed in accordance with a range of levels and heights that accord with measurements set out on the architects plans.

The rear element of the proposed dwelling (east and north elevations) has been designed to be subservient to the more formal element that faces south. The proposal has been amended during the course of the application with both the eaves and ridge lines having been lowered by 0.3 metres. This section of the building (east elevation) now has a ridge height of 7.0 metres and an eaves height of 5.0 metres which has resulted in a clearer distinction between the front and rear sections of the building reinforcing the principle that the building could have been developed incrementally.

Whilst it is to be sited largely on the footprint of the existing dwelling it is proposed to set the new dwelling slightly further into the site (11 metres back as opposed to 7 metres). The main volume of the new house will therefore be set further away from the southern boundary of the site and the public footpath which runs along the access drive.

It is acknowledged that the proposed dwelling is larger than the one it is proposed to replace, being mainly two-storey in form, however, the size of the site is large and it has always been the view of officers that the site could accommodate a more substantial dwelling in floorspace terms. It is considered that the architect has given careful consideration to the design of the replacement dwelling, particularly in how it might reflect local distinctiveness and sit comfortably within its landscape setting and the applicant and architect have also worked with officers, resulting in amendments to the proposal from when it was first submitted. The design of the replacement dwelling reflects the local vernacular in that it is of a Sussex Farmhouse style design albeit with some Georgian influences and will be constructed from local stone with brick detailing, plain clay tiles and painted wooden sash and casement windows. The design approach, including setting the building further into the site, setting it 1.15 meters lower into the site and having different elements with different ridge and eaves heights all work to reduce its mass and bulk.

The new dwelling is considered to be well-designed, reflects local distinctiveness and its local context and does not detract from the character or appearance of the area. Therefore it is concluded that in respect of this issue the proposal complies with Policy H12 and BE11 of the CDLP 1999, policies SD6 and SD45 of the Draft SDNPLP 2015 and the design section of the NPPF.

iv) The impact of the replacement dwelling on landscape character including the wider SDNP

The application site lies in an elevated position to the west of Norwood Lane. A mature woodland belt forms its western boundary, and a tall established hedgerow forms the southern boundary where it overlooks open fields and the Downs in the distance. There are close range views of the site from a number of public rights of way in the vicinity of the site, in particular, the public footpath immediately to the south and south-east and the bridleway that crosses land to the south.

As previously described the proposal involves the replacement dwelling being sited at a lower level than the existing so that its overall height and the impact on the landscape is reduced. The proposed ridgeline of the new dwelling will be at a level only 1.42 metres above the existing. The replacement dwelling will be more obvious simply because of its two-storey character although views of it will remain partially obscured by the mature hedge that runs along the southern boundary of the site and importantly in terms of its impact on the wider landscape character of the area it will remain below the height of the land and trees which form a backdrop to the site. The garage and store building which is to be sited to the east of the main house will be screened behind existing vegetation.

The articulated form of the building and use of traditional materials will ensure that the replacement dwelling can be successfully assimilated into the landscape.

On balance, it is considered that due to the high quality design of the building that reflects local distinctiveness and the measures that have been taken to reduce its mass and bulk, the building will not have a detrimental impact on the wider landscape of the National Park. Therefore it is concluded that in respect of this issue the proposal complies with Policies H12 and BE11 of the CDLP 1999, policies SD6 and SD45 of the Draft SDNPLP 2015 and the design section of the NPPF.

9 Conclusion

The site is located within the Rural Area where the principle of the replacement of an existing dwelling on a one for one basis is considered acceptable. Copse Cottage is not considered to be a small dwelling as defined in policy H12 and therefore the acceptability of the scheme will turn on whether the scale, mass and design of the replacement dwelling is considered to be appropriate and sympathetic to the rural character and appearance of the surrounding area and whether the design quality is considered to be sufficient to outweigh any harm caused by its loss.

Whilst it is acknowledged that the replacement dwelling will be larger and more visible within the landscape than Copse Cottage it is considered that, on balance, due to the high quality of the design reflecting the Sussex farmhouse vernacular which is common to the local area and utilising local materials, the proposal represents an appropriate replacement of the existing dwelling on the site and the benefits of the development will outweigh any harm caused by the loss of the existing dwelling which has limited heritage significance.

The application is therefore recommended for approval.

10 Reason for Recommendation and Conditions

It is recommended that the application be approved for the reasons and subject to the conditions set out below.

1. 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.

2. The development hereby permitted shall be carried out in accordance with the schedule of plans in 'Appendix 2 - Plans Referred to in Consideration of this Application'

Reasons: For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding any details submitted no development/works shall commence until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

4. Notwithstanding any details submitted no development/works shall commence until a sample panel of stonework and brickwork shall be constructed, and made available for inspection, on site to accurately reflect the proposed bond, coursing and finish of the material and the type, composition and profile of the mortar, and an accompanying written specification shall be submitted to and approved in writing by the Local Planning Authority before the relevant parts of the work are begun. The approved sample panel(s) shall be retained on site until the work is completed and the work carried out in full accordance with the approved details.

Reason: To ensure the materials and finishes to be used are appropriate in order to maintain the architectural interest of the building. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission

5. No development shall commence, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following:

- (a) the anticipated number, frequency and types of vehicles used during construction,
- (b) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (c) the loading and unloading of plant, materials and waste,
- (d) the storage of plant and materials used in construction of the development,
- (e) the erection and maintenance of security hoarding,
- (f) the provision of road sweepers and/or wheel washing facilities to mitigate the impact of construction upon the public highway
- (g) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles
- (h) measures to control the emission of noise during construction,
- (i) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- (j) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas, and
- (k) waste management including prohibiting burning.

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and in the interests of protecting nearby residents from nuisance during all stages of development and to ensure the use of the site does not have a harmful environmental effect.

6. No development shall commence on site until plans of the site showing details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

7. No development shall be carried out on site until all buildings and structures existing on the application site at the date of this permission have been demolished, the debris removed from the site and the site cleared.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

8. No development shall commence on site, including demolition, until protective fencing has been erected around all trees, shrubs and other natural features not scheduled for removal in accordance with the recommendations of BS5837:2012. Thereafter the protective fencing shall be retained for the duration of the works, unless otherwise agreed in writing by the Local Planning Authority. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area; soil levels within the root protection area of the trees/hedgerows to be retained shall not be raised or lowered, and there shall be no burning of materials where it could cause damage to any tree or tree group to be retained on the site or on land adjoining at any time.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

9. No development shall commence until a Bat Mitigation Strategy including a program for its implementation has been submitted to and approved in writing by the Local Planning Authority. Thereafter the strategy shall be implemented fully in accordance with the approved details.

Reason: To ensure that the protection of the species is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

10. Notwithstanding the approved plans, no windows shall be installed until details have been submitted to, and approved in writing by the local planning authority. The details shall include:-

- a) Plans to identify the window in question and its location(s) within the property(ies), cross referenced to an elevation drawing or floor plan for the avoidance of doubt;
- b) 1:20 elevation and plan;
- c) 1:10 section with full size glazing bar detail;
- d) the position within the opening (depth of reveal) and method of fixing the glazing (putty or beading); and
- e) a schedule of the materials proposed, method of opening, and finishes.

Thereafter the works shall be carried out in full accordance with the approved details and the development shall be maintained as approved in perpetuity.

Reason: To ensure appropriate design and appearance in the interests of protecting the visual amenity/character of the development and surrounding area.

11. No part of the development hereby permitted shall be first occupied until 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.

12. No part of the development hereby permitted shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details that shall first have been submitted to and approved by the Local Planning Authority. Thereafter the cycle parking shall be retained for that purpose in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

13. No part of the development hereby permitted shall be occupied until refuse and recycling storage facilities have been provided in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the refuse and recycling storage facilities shall be maintained as approved and kept available for their approved purposes in perpetuity.

Reason: To ensure the adequate provision of onsite facilities in the interests of general amenity and encouraging sustainable management of waste.

14. The development hereby permitted shall not be first brought into use until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities, and for large scale developments shall include a program for the provision of the landscaping. In addition all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. The approved scheme shall be carried out in the first planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees.

11. Crime and Disorder Implications

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

Tim Slaney
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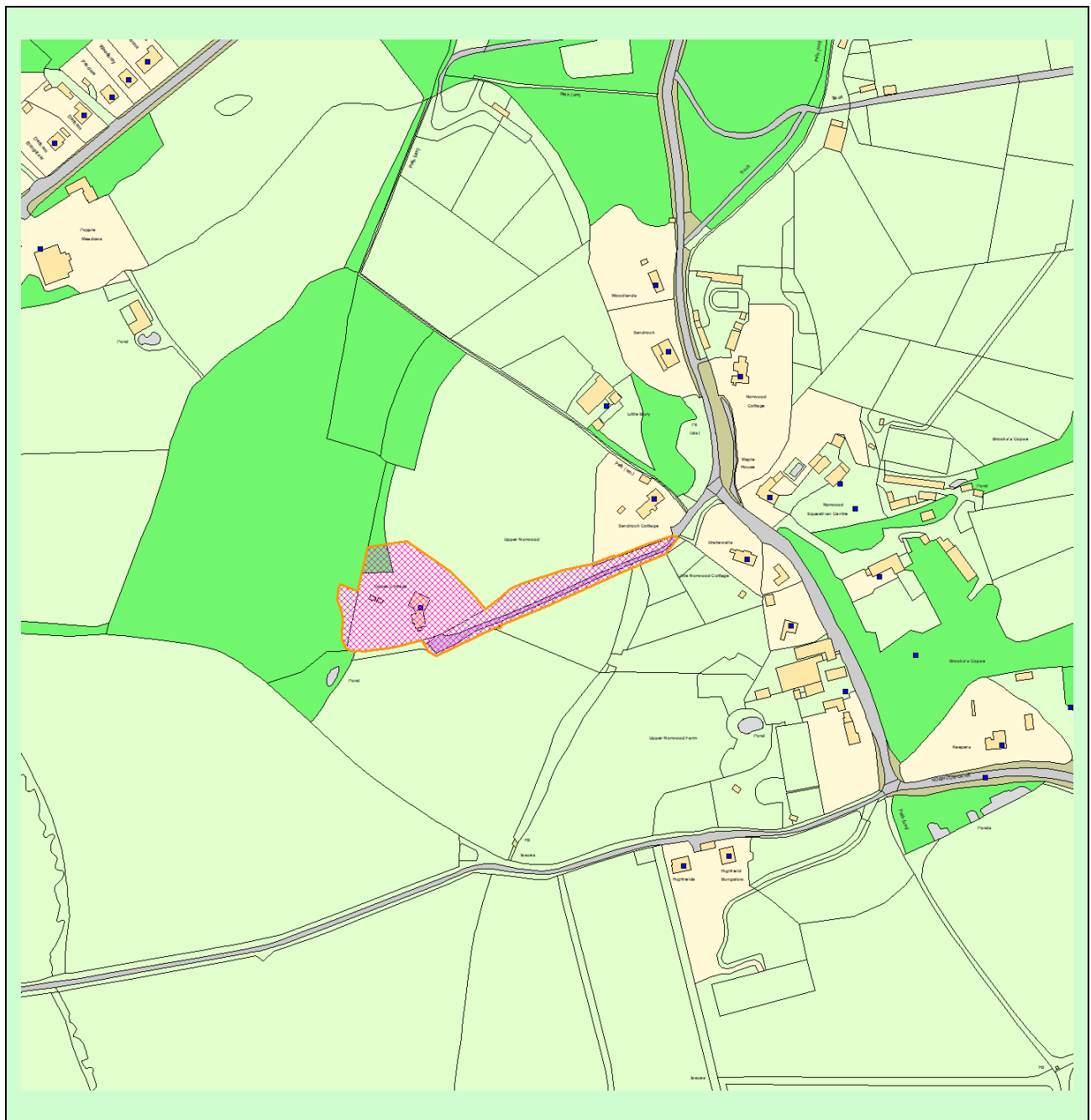
Appendices Appendix 1 - Site Location Map
 Appendix 2 – Plans Referred to in Consideration of this
 Application

SDNPA Consultees

Background
Documents

Appendix 1

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - Site Plan	547-03	A	23.06.2017	Approved
Plans - Floor Plans	547-04	A	23.06.2017	Approved
Plans - South and North Elevations	547-05	A	23.06.2017	Approved
Plans - East and West Elevations	547-06	A	23.06.2017	Approved
Plans - Relative sizes of existing and proposed from the south	547-07	A	23.06.2017	Approved
Plans - Section AA	547-08	A	23.06.2017	Approved
Plans - Section BB	547-09	A	23.06.2017	Approved
Plans - West Elevation of garage block and site cross section	547-10	A	23.06.2017	Approved
Plans - West Elevation of garage block and site cross section	547-11	A	23.06.2017	Approved
Plans - North, South, East Elevations of Garage Block	547-12	A	23.06.2017	Approved
Plans - Topographical survey	0813-DB4-T1A		09.09.2016	Approved
Plans - Site plan	547-003		09.09.2016	Superseded
Plans - Location plan	547-01		09.09.2016	Approved
Plans - Block plan	547-02		09.09.2016	Approved
Plans - Floor plans	547-04		09.09.2016	Superseded
Plans - South and north elevations	547-05		09.09.2016	Superseded
Plans - East and west elevations	547-06		09.09.2016	Superseded
Plans - South elevation	547-07		09.09.2016	Superseded
Plans - Section A-A	547-08		09.09.2016	Superseded
Plans - Section B-B	547-09		09.09.2016	Superseded
Plans - Garage plan and roof plan	547-10		09.09.2016	Superseded
Plans - Garage elevations and site elevations	547-11		09.09.2016	Superseded
Plans - Garage block elevations	547-12		09.09.2016	Superseded

Reasons: For the avoidance of doubt and in the interests of proper planning.