

Report to **Planning Committee**
Date **3 June 2020**
By **Director of Planning and Environment**
Local Authority **Chichester District Council**
Application No. **SDNP/20/01019/FUL**
Applicant **Mr Scott-Webb**
Application **Replacement dwelling.**
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.

Executive Summary

Reason for Committee referral:

**Red card: Cllr Barrett - Important information/opinion, to raise in debate;
Parish Council objection – Officer recommends Permit**

The proposed replacement dwelling has been extensively revised in design terms compared to the previous appeal proposal to produce a scheme that now more closely reflects the rural characteristics of its sensitive setting and this is considered to be a positive step forward in securing an acceptable proposal within this sensitive rural landscape. The principle for the 1:1 replacement of the existing dwelling is framed within Policy SD30 of the South Downs Local Plan 2014 -2033 and so there is no objection in policy terms to the existing dwelling's replacement, subject to complying with the policy's criteria and that of other relevant policies of the Local Plan, notably policies SD4 and SD5. The previous proposals involved a detailed review of the heritage value of the existing dwelling both at application stage and the subsequent appeal. On this issue, the planning inspector concluded that Copse Cottage is not a designated heritage asset and has only very limited architectural or historic interest and that no significant harm would arise from its replacement in principle, provided a suitable replacement development was secured. The Inspector was critical of the formality and resultant assertiveness of the Georgian-style approach to the previous proposal which was considered inappropriate to its sensitive rural setting. This proposal through a combination of building form, articulation and a careful choice of materials palette reflective of the local vernacular, is considered to represent an appropriate response to this sensitive rural setting.

1.0 Site Description

- 1.1 The application site is located in a relatively remote rural location on the west side of Norwood Lane some 500m east of the settlement of Graffham. Copse Cottage is positioned at the end of a long driveway, which is also a public right of way. The existing dwelling sits within an irregularly shaped plot measuring approximately 1 acre in size. The site backs onto rising woodland to the west and north-west much of which is ancient woodland. The gently sloping, large gardens are almost entirely enclosed by mature trees and hedges, such that the house is highly secluded and largely hidden from public view except for a glimpse across the access from the adjacent public footpath that follows the same route as the access drive.
- 1.2 Immediately to the northeast of the cottage is an open paddock. 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 site.
- 1.3 The surrounding national park landscape is very rural in character, principally comprising of pasture, interspersed with hedges and woodland, and occasional individual and clusters of houses that are generally of traditional rural design and materials. A bridleway approximately 170 metres to the south runs in an east/west direction past Highfields toward Graffham village. Limited, medium distance views of the application site can be obtained from various positions along the bridleway's length, although as noted above such views are limited and dominated by the wooded backdrop.

2.0 Proposal

- 2.1 Copse Cottage is a modest rural vernacular house, dating from around 1800. It has been subject to various extensions and alterations over time, including a sizeable single-storey 1960s annexe addition to the side, which has monopitched and flat roofs, and does not reflect the traditional cottage style of the older part of the house. The older part has an attractive rural character, reflected in the use of traditional materials typical of the local area, and two modest dormers set in the front roof slope.
- 2.2 The proposal is for the replacement of the existing dwelling, with the new building largely occupying the existing footprint of the current house and extension. Unlike the predecessor scheme, the design of the dwelling has been revisited, with a greater emphasis on a more informal approach to its appearance and character. The use of traditional materials incorporating elements such as clay tiles for the roof, red brick for some elevations and detailing and random coursed Fittleworth stone are designed to reflect common features found in other local buildings and provide for a building that would successfully integrate with the local landscape.
- 2.3 As mentioned above, the replacement dwelling is to be sited largely on the footprint of the current house and extension, although it is to be positioned 6 metres further to the north than the existing dwelling, away from the boundary with the public footpath. Ground levels at the site of the new house are to be reduced by approximately 1 metre to ensure minimal impact on the visual qualities of the wider landscape by limiting the visual increase in ridge height to 0.7m. The dwelling itself is composed of a range of traditional forms that are designed to convey a sense of articulation and informality, which in turn assists in managing the increase in massing of the new building.
- 2.4 Excavated material from the site of the proposed dwelling is to be retained on site to increase the environmental sustainability benefits of the construction through reduction in transportation and off-site disposal. The material is to be carefully regraded and redistributed either within the large garden or on part of the adjoining paddock that is also within the ownership of the applicant.

- 2.5 In addition to the dwelling, the proposal includes the provision of a single storey garage building located within the south east corner of the site. The garage building comprises a two-bay carport and attached garden store. It is designed as a green oak structure with timber boarded elevations set on a low brick plinth under a hipped tiled roof. The position takes advantage of the existing mature hedging to the south and east boundaries and adjacent trees to provide screening. Access to the proposed dwelling and garaging is to be from the existing entrance point.

3.0 Relevant Planning History

SDNP/13/01922/PRE - Demolition of existing dwelling and replace with new dwelling. ADVICE GIVEN 30.06.2013

SDNP/13/04792/FUL - Proposed stable and track. PERMIT 04.12.2013

SDNP/14/03791/FUL - Replacement house, garage and associated landscaping. WITHDRAWN 22.09.2016

SDNP/14/06453/APNDEM - Demolition of 3 bedroom dwelling. PRIOR APPROVAL REQUIRED 09.01.2015

SDNP/15/01563/APNDEM - Further information required in relation to prior approval WITHDRAWN 22.09.2016

SDNP/16/04519/FUL - Replacement dwelling and associated garaging. REFUSED, APPEAL DISMISSED 19.06.2018

SDNP/19/04202/PRE - Replacement of existing house with a new dwelling. ADVICE GIVEN 18.10.2019

4.0 Consultations

East Lavington Parish Council

ELPC has been asked to comment on an application to replace an existing house with a new dwelling at the site of Copse Cottage, Norwood Lane. The application is the subject of planning application SDNP/20/01019/FUL.

ELPC considers that the current application is a positive step forward on the application that was rejected by CDC in 2017. The massing and proposed true height of the proposed property have been reduced by 12% and 0.7m respectively, which has reduced the potential visual impact on the character and appearance of the area. ELPC notes that some recommendations from the pre-application advice have been incorporated in the proposed property.

ELPC does still have some concerns, however, with the application.

1. The gross internal area (GIA) of the existing property is 181sq.m (from records in the public domain) with the new property some 263sq.m (determined by ELPC) that includes ancillary building facilities (an issue referred to in the pre-application) thereby being in excess of 40% of the original property GIA, which would go against SD30 and SD31 which permits an increase of "approximately 30%"

- Furthermore, there is a concern that the advice given about reducing the length and bulk of the rearward extension (possibly using a catslide roof if this does not result in excessive compromise at first floor level) seems to have been ignored.
 - There are also concerns that need to be met regarding fenestration of the property.
2. The proposed property appears not to have been landscape-led, as required in SD4 and SD5, but conversely the landscape is being altered to fit in with the proposed property as the site is being lowered by 1m to mask the height of the proposed property.
- There were also concerns raised regarding hard and soft landscaping, and how the material that was dug out in order to lower the property by 1m would be distributed
 - Much of this material would be clay and given the quantity of material this could have quite an effect on the landscape
 - ELPC would like to see a topography plan for the proposed application
2. Because of this conflicting advice regarding a replacement building ELPC was neutral as to current application's standing with regards to SD12.
- In the original application, the Inspector noted that if a suitable replacement development was proposed the loss of the current property would not constitute significant harm.
 - The CDC Heritage Building Advisor also countenanced demolition of the current property, but only if replacement was "of such exceptional design quality that the National Park would benefit from having it", and this was reflected in the current proposal's Pre-Application Advice.
 - Conversely, the planning committee, in their determination in 2017 and in their representations to the Inspector did not countenance the demolition of the existing heritage asset, whatever replacement dwelling was proposed.

On the basis of all of the above, ELPC is unable to support this application until it can be convinced that all the points above in reference to SD30, SD31, SD4 and SD5 can be satisfied.

WSCC - Public Rights of Way

No objection

CH - Environmental Strategy

Bats

As detailed within the Bat Survey Report (Oct 2019) there is a bat roost within the building on site. Due to this mitigation is required along with a Protected Species License from Natural England. Unfortunately no mitigation has been included within the report. We require that prior to determination a mitigation strategy is submitted detailing the timings of the works, temporary roosting sites, methodology of the works, roost restoration post development and post development monitoring and safeguarding.

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

We require that a bat brick is integrated into the building on site facing south/south westerly positioned 3-5m above ground.

Badgers

As a precaution any trenches should be covered overnight, or a means of escape made available and any hazardous chemicals need to be suitably stored away so animals cannot access them.

Reptiles

We are happy that a precautionary approach can be undertaken on the site for reptiles. This involves any removal of scrub, grassland or ruderal vegetation to be done sensitively and done with a two phased cut

Nesting Birds

Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March ' 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

We would like a bird box to be installed on the building / and or tree within the garden of the property.

HCC - Landscape Team

NB: This proposal has been considered by means of a desktop study using the information and plans submitted with this application, and a site visit made in October 2016, 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;
- SDNP Local Plan (adopted 2 July 2019)
- South Downs National Park Integrated Landscape Character Assessment (SDILCA) : Landscape type K: Mixed Farmland and Woodland Vale
<http://www.southdowns.gov.uk/wp-content/uploads/2015/03/ILCA-Appendix-K-Mixed-Farmland-and-Woodland-Vale.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 Area K1 - Rother Valley Mixed Farmland and Woodland character area as defined in the SDILCA, described as having 'Thick, high hedgerows, small blocks of scattered woodland and wooded field boundaries (rews)' which 'contribute to a sense of intimacy and enclosure', 'Distinctive building materials including sandstone extracted from the local Greensands, red brick formed from local clays, and clay tiles', and 'Views over this area from surrounding high land including the chalk downs and greensand hills.' (K1.1)

Relevant Development Considerations for this character area include:

- Integrate built development on the edges of villages into the rural landscape, through native planting, to maintain the rural setting to hamlets and villages.
- Monitor the effects of incremental change to buildings - resist suburban style garden boundaries, kerbs, and lighting.
- Take account of views from the adjacent greensand terrace, scarps and downs in relation to any change.

The Site

The site, containing existing white rendered cottage and single storey extension, lies in an elevated position off a private drive to the west of Norwood Lane, also a public right of way. 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 carport 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 is 0.66m higher than the existing (0.76m lower than the original 2016 proposal) but remains below the height of the surrounding trees. The carport block is an additional structure, its highest ridgeline appearing to be just over 5.0m high. It will be important to ensure that the existing hedgerow is managed to allow this to remain largely screened from view, to avoid increasing the apparent number of buildings on the site.

Level changes and excavated material: No cross-sections indicating level changes have been submitted. 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 to the local landform, and not used to form 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.

Dark skies: The site lies within the Dark Skies reserve, but the proposals include less glazing than the existing house, with no upward facing glazing or external floodlighting. Boundary treatment: There is no indication that existing site boundaries will be altered. The access will remain in its current position.

Existing and proposed vegetation: A Tree Survey and Tree Constraints Plan has been submitted. An exceptional existing grade A Scots pine has been identified, which would be affected by the carport location and would require specialised construction methods to be adopted. The Design & Access Statement indicates that remaining existing planting will be retained, carefully pruned and supplemented as appropriate. No planting proposals, but the Statement indicates that the garden setting of the house is mainly to be laid to lawn. The LVIA recommends planting of further native evergreen species within the site's boundary hedges.

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.

Whilst the proposed house will to some extent be visible from outside, the sympathetic and recessive materials and finishes would reduce its prominence in local and long range views.

Recommendations

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

- Cross-sections through the house and garages indicating the levels and contours.
- An Arboricultural Impact Assessment and Arboricultural Method Statement covering tree and hedgerow protection measures during demolition and construction phases, including details for retention of the A grade Scots pine.
- A method statement for the distribution and spreading of excavated material from the 'house dig', including proposed contours and seeding with a mix appropriate to the local landscape.
- Details of proposed planting including appropriate native species to reinforce boundary hedgerows, planting densities and management proposals for proposed and existing vegetation.

5.0 Representations

9 Third Party objections

Contrary to local plan policy SD12

Contrary to 1st purpose of designation

Doesn't accord with characteristics set out in the National Design Guide

Design, mass and scale

Landscape impact

Impact of works on trees and hedges

Impact on drainage

1 support (applicant)

Objections ignore planning inspectors assessment of significance of existing cottage.

Highlighted that existing cottage has some significance although the degree of significance is small and its replacement was acceptable in principle.

Consider that this proposal satisfactorily addresses all the points raised by the LPA and Inspector.

6.0 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **South Downs Local Plan 2014-2033** and any relevant minerals and waste plans.

Other plans considered:

None

The development plan policies and other material considerations considered 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.

7.0 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF), updated February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

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

- NPPF01 - Introduction
- NPPF02 - Achieving sustainable development
- NPPF04 - Decision-making
- NPPF12 - Achieving well-designed places
- NPPF - Conserving and enhancing the natural environment
- NPPF - Conserving and enhancing the historic environment

It is considered that the following paragraphs of the NPPF (2019) are relevant to the determination of this application:

8, 11, 47, 124, 127, 130, 170, 172, 184, 189, 190, 197.

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 **South Downs Local Plan** are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character

- Strategic Policy SD5 - Design
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD12 - Historic Environment
- Development Management Policy SD30 - Replacement Dwellings

Partnership Management Plan

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:

- General Policy 1
- General Policy 3
- General Policy 9
- General Policy 50

8.0 Planning Assessment

8.1 The main issues arising from this application are considered to be the following:

- 1) The principle of the 1:1 replacement of the existing dwelling;
- 2) The heritage significance of the existing dwelling;
- 3) The design, character and appearance of the replacement dwelling and its effect on the surrounding area.

The principle of replacing the existing dwelling

8.2 The application site lies outside any settlement boundary and therefore the principle for the replacement of the existing dwelling is embodied in Policy SD30 of the South Downs Local Plan 2014-2033. Policy SD30 permits the replacement of an existing dwelling provided that the net increase in floorspace is not more than approximately 30% and that it is not overbearing or of a form that would be detrimental to the amenity of nearby residents by virtue of loss of light and/or privacy. The supporting text to the policy goes on to set out other criteria that must be adhered to by the proposal. In summary the replacement dwelling is expected to be of a high standard of design in accordance with Policy SD4: Landscape Character and Policy SD5: Design. Proposals should take account of local and traditional elements of design and should not introduce discordant or intrusive features in the landscape. It will be appropriate to ensure that the existing rural character is not prejudiced.

- 8.3 Based on a measured survey, using the criteria advocated in the SDNPA Technical Advice Note (TAN) the existing dwelling has a gross internal area (floorspace) of 186m². The replacement dwelling has a gross internal floorspace of 245m², amounting to a net increase in floorspace of 32%. This is in accordance with TAN guidance on the term 'approximately', which considers that a figure of 35% may be appropriate where this is sensible in optimising design and achieving reasonable functionality. Therefore the proposed replacement dwelling is considered to be compliant with this aspect of the policy. The design of the dwelling and impact on the character of the surrounding landscape and inter alia how it meets the policy criteria set out in SD4 and SD5 is discussed below.

The heritage significance of the existing dwelling

- 8.4 The previous (refused) application was accompanied by a heritage statement and input from the Council's heritage adviser. There has been no material change in the status of the existing dwelling and therefore the statement and the response remain material to the consideration of this issue. However it is also material to take account of the inspector's assessment of the heritage value of the existing dwelling in reaching his decision to dismiss at appeal SDNP/16/04519/FUL. The Inspectors summary on this issue is set out at paragraph 8 of the decision letter:

"...I therefore consider that Copse Cottage does have some significance as a non-designated heritage asset. However, for reasons including the largely unremarkable history, form and features of the original building and the significant alterations to it over time, in my view this degree of significance is small, and mainly derives from the modest aesthetic contribution of the older part of the building to the character and appearance of the area. Having regard to paragraph 135 of the Framework, I consider that the scale of the loss proposed would therefore be limited, and would not necessarily amount to significant harm, provided that a suitable replacement development was secured..."

(NB - It should be noted that the reference to paragraph 135 is now paragraph 196 of the 2019 version of the Framework).

- 8.5 A number of representations received on this application remain critical that the proposal entails the loss of the existing dwelling on heritage grounds. However it is clear that the limited significance of the existing building is not of sufficient weight to lead to the rejection of the application alone. It is concluded that for the reasons expanded upon below, the proposed dwelling is now considered to be an appropriate and suitable replacement that now justifies the loss of this non-designated heritage asset. In this regard it is considered that there is no conflict with the objectives of policy SD12 of the Local Plan.

The design, character and appearance of the replacement dwelling and its effect on the surrounding area

- 8.6 The footprint of the replacement dwelling remains largely based on that of the previous appeal scheme, occupying that of the existing dwelling. It has been set further back into the site and remains at a slightly skewed angle. As before, the majority of the replacement dwelling is two storeys in height and therefore the resultant scale and massing of the building remain two of the factors that require careful consideration. The orientation of the proposed dwelling on a roughly north/south axis means that much of the increase in the building's length and massing projects further into the site, away from public viewpoints. The proposed dwelling's massing is considered to be effectively handled through variations in height and articulation and the careful use of a contrasting materials palette that imparts a degree of visual subordinancy, especially to the rearward projecting section of the dwelling. Unlike the previous scheme, the design approach has been significantly revised, resulting in a much more informal character and appearance that is now an appropriate reflection of its sensitive rural setting. The informality of the design is emphasised through the use of local stone laid in a random coursed pattern, with brick detailing. It is continued through the introduction of a simple glazing pattern to the fenestration, comprising timber casement windows and the incorporation of eaves line dormers, which themselves also help to reduce the visual perception of height and impart a sense of compactness to the design.
- 8.7 Whilst it has been stated that the overall increase in the height of the proposed dwelling would only be 0.7 metres greater than the highest point of the existing dwellings ridge when viewing the site from public viewpoints outside the site itself, this is achieved by setting the dwelling into the ground by approximately 1.0 metre. It is considered that such localised, internal excavation, with sensitive landscaping would be largely imperceptible from outside the site and would not therefore have an adverse impact on the existing landscape quality. Overall, the new dwelling is considered to be well-designed and of a style that 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 SD5 of the SDNPLP 2014-2033 the design section of the NPPF and the objectives of the National Design Guide 2019, particularly with respect to the identified characteristics relating to context, identity, built form and nature.
- 8.8 The likely impact of the proposed replacement dwelling on the surrounding landscape has been considered in a landscape and visual impact assessment commissioned by the applicant and by the SDNPA's landscape consultant. In terms of its immediate impact on the site itself, it is noted that the grounds are generous in extent and therefore the proposed dwelling and associated works, occupying the existing footprint would not be considered a disproportionate addition in terms of site coverage.

- 8.9 The slightly elevated position does mean the dwelling has the potential to be prominent within the wider landscape, although this is mitigated to some degree by the mature hedgerows bordering the intervening fields and the site itself, together with the dense backdrop of woodland to the north and west of the site. In terms of the effect on the wider landscape, the SDNPA landscape consultant has noted that there is some intervisibility of the site from nearby public rights of way, although medium to long distance views are, as noted above, constrained by the topography and mosaic of mature woodland and field boundaries with scattered mature trees. There are potential long-distance views from the South Downs Scarp to the south, however, these will be filtered through the mature vegetation and visual impact is substantially reduced at the distances involved.
- 8.10 The presence of the existing dwelling and domestic use of the associated garden has established a residential character to the site itself. In this context, the replacement on a like for like basis would effectively have a neutral effect so far as any change in landscape character is concerned. In terms of visual impact, it is acknowledged that the replacement dwelling will be more noticeable from visual receptors such as nearby public rights of way, primarily because of the two-storey nature of the design, although the existing backdrop of woodland and boundary hedging will mitigate such views. Direct mitigation of the development's visual impact is addressed through the incorporation of materials that express sympathetic and recessive tonal earth colours and the referencing of vernacular building styles in the design itself. The protection and retention of the existing mature trees and boundary vegetation on the site together with additional mitigation in the form of gapping up and planting of further native evergreen species within the site's boundary hedges will ensure the effective assimilation of the new development into the wider landscape.
- 8.11 The applicant's landscape assessment identified that the proposed carport and workshop located within the south east corner of the site would introduce a new structure into a landscape of high to medium sensitivity. However, the building's relatively low height and consistent use of materials with recessive tonal colours similar to that used with the dwelling, together with the proposed planting measures outlined above would ensure that this element of the proposal would not have a negative impact on the wider landscape.
- 8.12 The proposed dwelling would exhibit a net reduction in the glazed area on all elevations compared to that present on the existing dwelling, largely through the introduction of smaller proportioned windows throughout and the loss of the large panoramic windows found on the later addition to Copse Cottage. No rooflights or upward-facing glazing is proposed for the replacement dwelling and therefore the overall balance is considered to be neutral and there would be no adverse impact on the Dark Skies Reserve.

- 8.13 Policy SD4 requires proposals to be informed by landscape character and context, conserve existing landscape character features, safeguard its experiential and amenity qualities and ensure that where planting is considered appropriate that this is consistent with local character and enhances biodiversity. The design, form and use of local materials for the dwelling have been informed by existing development within the area. The siting and in particular the orientation of the proposed dwelling, is considered an appropriate response to the existing topography, its context and interrelationship with boundary treatments. Levels are to be carefully managed to ensure that the building will not be unduly prominent and allow the existing wooded backdrop to remain the dominant landscape characteristic against which the proposed dwelling would be read. Landscaping proposals are to be complimentary through the maintenance and enhancement of existing planting to further support biodiversity on the site and immediate surroundings. The overall approach to the development is also considered to be consistent with the objectives of the National Design Guide 2019.

Ecosystems services, biodiversity mitigation and the sustainability of the construction of the dwelling

- 8.14 The application is accompanied by an ecosystems services statement detailing the habitat enhancement and management of the site. The application site is not subject to any special designations and the works are largely confined to the location of the existing dwelling. The proposal takes the opportunity to retain and enhance natural features that contribute to the biodiversity of the site, including pond reinstatement, protection and retention of existing trees, installation of bat and bird boxes in suitable locations within the site and dedicated provision within the proposed garage building and sensitive management of the grassed areas of the site, together with compensatory planting.
- 8.15 Whilst the replacement dwelling will be constructed using traditional forms and natural materials sourced locally, the construction will be specified to exceed the current building regulation Part L 'Conservation of Fuel and Power', incorporating higher levels of insulation for walls and roof and greater thermal efficiency than the existing dwelling is able to achieve, ensuring a far smaller carbon footprint in line with policy SD 48 of the Local Plan. Other sustainability benefits include recycling of materials from the existing dwelling and will encompass means to conserve water supplies, through the installation of water butts, permeable driveway/hardstanding areas and appropriate surface water drainage. Lighting would utilise low energy bulbs and be sensitively sited to have minimal impact on wildlife and the dark night skies designation. . **Other matters**

- 8.16 In order to limit transportation and disposal costs associated with the project, the applicant intends to retain the excavated material derived from the site of the proposed dwelling on the site through its careful redistribution within the adjacent grassed paddock within the same ownership to the north east of the application site, close to the recently erected stable block. The SDNPA landscape adviser has highlighted the importance of ensuring that the redistribution of soil is to be carefully graded to the local topography within the paddock. The depth of the deposited material is to be no more than 150 - 200mm and in view of the visually contained nature of the paddock area, this not considered to materially impact on the character or appearance of the wider landscape or have a material impact upon the hydrological function of the land in terms of land drainage. The precise details of the redistribution and finished levels may be appropriately addressed through conditions.

9.0 Conclusion

- 9.1 The proposed replacement dwelling has been extensively revised in design terms compared to the previous proposal to produce a scheme that now more closely reflects the rural characteristics of its sensitive setting and this is considered to be a positive outcome in securing an appropriate proposal within this sensitive rural landscape.
- 9.2 The principle for the 1:1 replacement of the existing dwelling is framed within Policy SD30 of the South Downs Local Plan 2014 -2033 and so there is no objection in policy terms to the existing dwelling's replacement, subject to complying with the policy's criteria and that of other relevant policies of the Local Plan.
- 9.3 The previous proposals involved a detailed review of the heritage value of the existing dwelling and in this regard it was concluded that whilst the building possesses some significance as a non-designated heritage asset, the scale of its loss would not necessarily amount to significant harm, provided a suitable replacement development was secured. The current proposal is considered to be a considered and measured response to its sensitive rural setting in terms of design, appearance, massing and choice of materials. Therefore the resultant development is not considered to have an adverse impact on the surrounding landscape character and these benefits are considered to outweigh any harm resulting from the loss of the existing dwelling, which has been identified as having limited heritage significance.

10.0 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 the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)./ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. **Approved Plans**

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

3. **Materials and finishes**

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. **Sample Panel**

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. Earthworks and redistribution

No development shall commence on site or adjoining paddock until plans of the site showing details of earthworks and redistribution of excavated material 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. Site Levels Plan

No development shall commence until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, garages and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. 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.

8. Demolition of existing buildings

The existing dwelling shall not be demolished before a contract for the carrying out of works for the redevelopment of the site has been made, with the relevant dates notified in writing to the Local Planning Authority. Once the contract is agreed, no further 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: In the interests of the visual amenity of the locality to ensure that the redevelopment of the site is carried out in an ordered manner that will have the least disruption to the character and appearance of the surrounding landscape.

9. Tree Protection Measures

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.

10. Ecological Mitigation Strategy

The development shall be carried out in strict accordance with the details of the Bat Mitigation Strategy prepared by Batscan Ltd and received on 19.05.2020.

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.

11. **Window details**

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.

12. **Vehicle parking and turning**

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.

13. **Cycle Parking**

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.

14. **Refuse and Recycling Storage**

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.

15. Landscaping scheme and implementation scheme

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.

16. No Extensions, Alterations or Outbuildings

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no building, structure or other alteration permitted by Classes A, B, C, D or E of Part 1 Schedule 2 shall be erected or made on the application site without a grant of planning permission.

Reason: TO accord with the objectives of Policy SD30 of the SDNPLP 2014-2033 and to maintain control over future enlargements of the dwelling in the interests of the character and appearance of this sensitive rural landscape

17 Compliance with ecosystems services proposals

The development shall be carried out in strict accordance with the measures set out in the Ecosystems Services Statement prepared by Phlorum, dated February 2020.

Reason: To ensure that the development will have an overall positive benefit on the natural environment in accordance with Policy SD2 of the South Downs Local Plan 2014 – 2033.

11.0 Crime and Disorder Implications

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

12.0 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.

13.0 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.

14.0 Proactive Working

14.1 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) through the pre-application process and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Background Documents

NPPF 2019
South Downs Local Plan 2014-2033
National Design Guide 2019

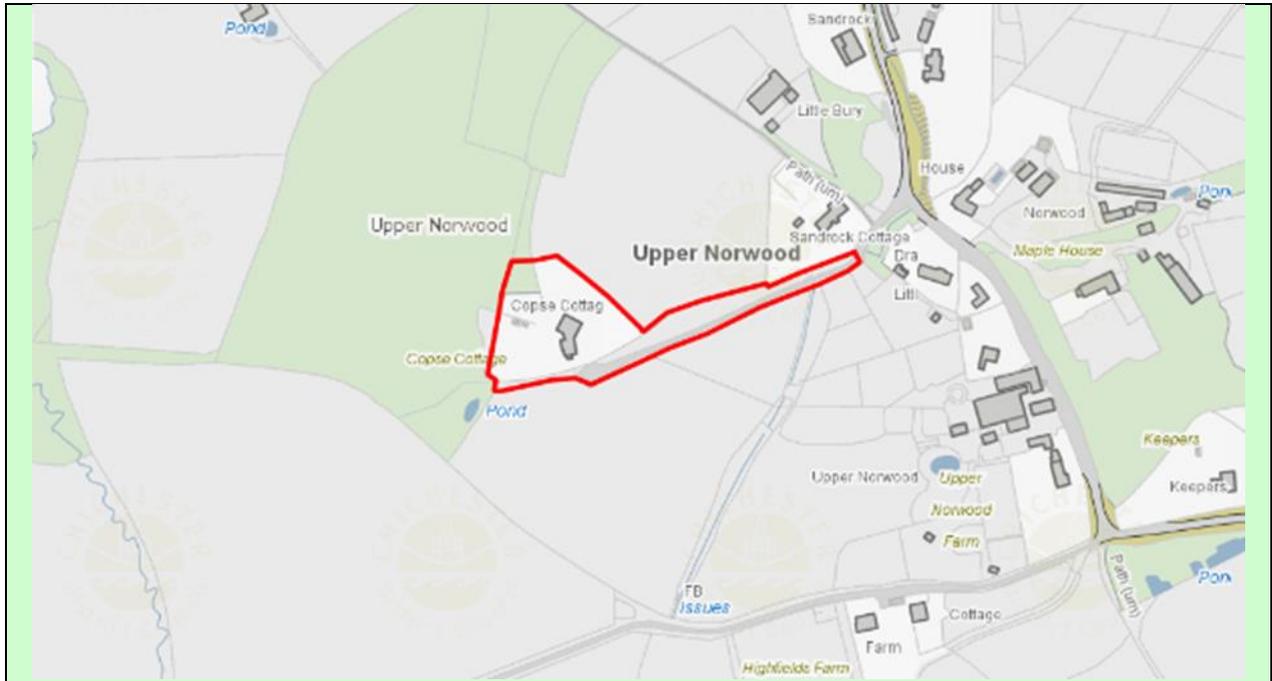
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Appendices Appendix 1 - Site Location Map

Appendix 1

Site Location Map



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