

MID SUSSEX DISTRICT COUNCIL

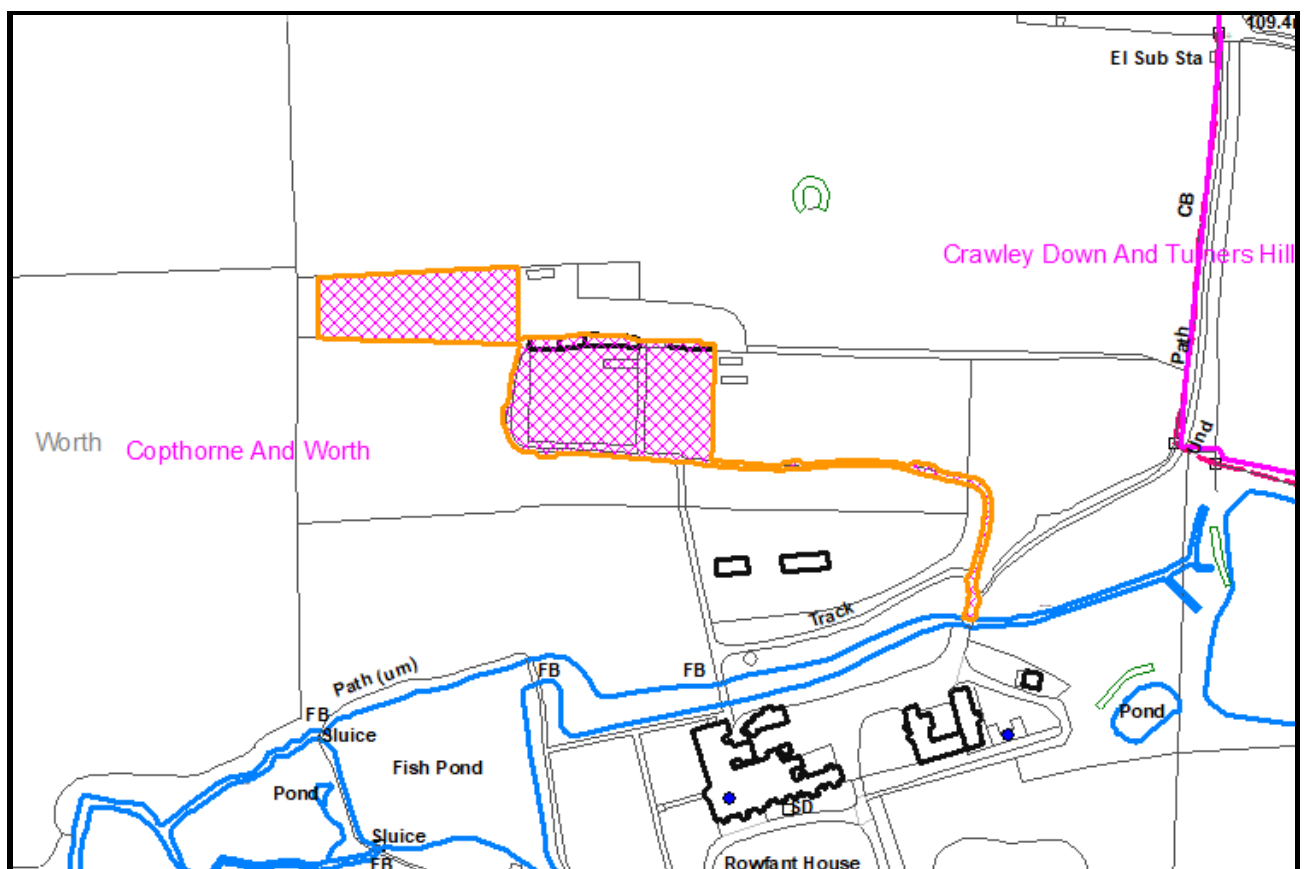
Planning Committee

14 JUL 2022

RECOMMENDED FOR PERMISSION

Worth

DM/21/2512



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**ROWFANT HOUSE WALLAGE LANE ROWFANT CRAWLEY WEST
SUSSEX RH10 4NG
(AMENDED PLANS RECEIVED 27.04.2022) PROVISION OF A MARQUEE
WITHIN THE WALLED GARDEN, ADJACENT CARPARK AND
MODIFICATIONS TO PATHWAY LEADING TO ROWFANT HOUSE
MR. MINESH PATEL**

POLICY:

ODPM CODE: LBC Alterations

8 WEEK DATE: 15th July 2022

WARD MEMBERS: Cllr Christopher Phillips /

CASE OFFICER: Katherine Williams

PURPOSE OF REPORT

To consider the recommendation of the Head of Economic Promotion and Planning on the application for listed building consent as detailed above.

EXECUTIVE SUMMARY

Listed Building Consent is sought for the erection of a marquee within the walled garden, adjacent carpark and modifications to pathway leading to Rowfant House, at Rowfant House, Wallage Lane, Rowfant.

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The National Planning Policy Framework (NPPF) advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The proposal is considered to preserve the setting and the special interest of Rowfant House and the curtilage listed walled garden and therefore the heritage assets and their special interest would not be harmed by the proposed works. As a result the proposal complies with policy DP26 and DP34 of the District Plan as well as the requirements of both the NPPF and the Listed Building and Conservation Area (LBCA) Act 1990.

It is therefore recommended that listed building consent is granted.

RECOMMENDATIONS

It is recommended that listed building consent be approved subject to the conditions outlined at Appendix A.

SUMMARY OF REPRESENTATIONS

Ten letters of representation had been originally received on the application, including a letter signed by 21 individuals which raise the following concerns:

- Out of keeping with the locality
- Additional traffic generation - highway safety issue
- Unsociable hours - traffic movement and noise and disturbance
- Loss of trees
- Light pollution
- Impact on the environment and biodiversity
- Impact on the setting of the listed building
- No justification for proposal
- Proposed carpark would require demolish of park of the walled garden
- Revenue concerns and continued upkeep of the listed building is not a planning matter, nor would the proposal generate sufficient revenue to repair the house
- No guarantee the house will be repaired
- Does not protect or enhance the countryside
- Acoustic impact assessment is subject as no existing marquee in place
- Historic England should be consulted
- Impact on wildlife
- Not temporary proposal
- Not sustainable, poor insulation

Following these comments amended plans had been received along with further information to address comments made by the case officer, the Environmental Health Officer, WSCC Highways Authority and WSCC Fire and Rescue. The application was then readvertised, and six further letters of representation were received which raised the following concerns:

- Inappropriate location, other alternatives within the site
- Impact on habitats and biodiversity
- Impact on the character of the area
- Increased traffic and noise and nuisance
- Hill House is in direct view of the proposal with no acoustic barrier in between
- Acoustic report is theoretical
- Impact on current quality and tranquillity

Further to this, additional plans were received to include the existing greenhouse structure within the walled garden and amendments to the position and dimensions of the marquee to account for this. The application was then readvertised, and eight further letters of representation have been received which raise the following concerns:

- Noise and disturbance
- Light pollution
- Increased traffic
- Size and design are out of proportion with the footprint of Rowfant House

- More appropriate locations to the front of the building
- Impact on view
- Impact on peaceful and quiet area
- Revenue concerns and continued upkeep of the listed building is not a planning matter, nor would the proposal generate sufficient revenue to repair the house
- No justification for the proposal
- Does not protect or enhance the countryside
- Could involve fireworks and large numbers of guests
- Antisocial behaviour
- Impact on habitats and biodiversity
- Impact on existing bridge
- Request restriction on the number of guests and hours of loud music
- Should be located within the existing building

The current application is a Listed Building Consent considers the impact on the fabric and special interest of the listed building and does not take into consideration the impact on the amenities of neighbouring properties. However, similar concerns have been raised in letters of representation received under planning application DM/21/2509 which will take these matters into account.

SUMMARY OF CONSULTATIONS

WORTH PARISH COUNCIL OBSERVATIONS

Defer to the officer

MSDC Drainage Engineer

No objection, recommend drainage conditions

WSCC Fire and Rescue Service

No objection, advice for the applicant

Conservation Officer

No objection, recommend conditions

Historic England

No comment

Ecologist

No objection recommend condition

Introduction

The application seeks listed building for the erection of a marquee within the walled garden, adjacent carpark and modifications to pathway leading to Rowfant House.

Relevant Planning History

DM/22/2509 - Provision of a marquee within the walled garden, adjacent carpark and modifications to pathway leading to Rowfant House. Under Consideration

DM/18/0454 - Discharge of Section 52 Agreement in relation to planning permission reference F/73/767 dated 16 November 1973 relating to the use of the buildings as staff accommodation. Granted

07/00661/LBC - Single storey extension to commercial kitchen (3m x 3m). Granted

07/00660/LBC - Single storey extension to commercial kitchen. Granted

06/00735/FUL - Erect two sheds. Granted

05/01118/FUL - Erection of a mobile home for staff accommodation. Refused

05/00532/LBC - Internal alterations to form en-suite bathrooms to hotel bedrooms. Granted

04/01903/LBC - Minor alterations to interior and external porch. Granted

04/01735/FUL - Small extension to form porch and food preparation room. Granted

04/01450/FUL - Erection of 4 mobile homes for staff accommodation. Withdrawn

02/02105/FUL - Resiting of two mobile homes. Granted

WP/086/79 - Rear ground floor extension to provide club bar and toilets (to act also as Listed Building Consent). Granted

WP/059/78 - Extension to dining room and club. Granted

Site and Surroundings

Rowfant House is a Grade II* listed building, located off the northern side of Wallage Lane within the countryside.

The building is set back from the highway and is accessed by a sweeping open driveway, which also includes a public footpath that extends through the site to the north. The listed building itself is an L-shaped ashlar refaced mansion dating from the 15th century with an arched carriage entrance to the east with existing subordinate buildings beyond consisting of 2 No. dwellings. The drive continues to the north over an existing arched bridge to a large field consisting of the curtilage listed walled garden of Rowfant House with 2 No. static caravans to the south which are used in association with Rowfant House.

Rowfant House was last in lawful use as a wedding venue and hotel with a restaurant, however the building is currently vacant.

The structure of the walled garden consists of intact walls along the entire north, west and eastern sides of the walled garden with a large open area along the southern side. The internal land levels of the walled garden and the open land around the structure slopes down to the south with significant changes in the ground levels. The northern boundary of the walled garden also consists of a line of both buildings which can be accessed from within and outside the walled garden. There is

also a timber and brick greenhouse structure within the walled garden. The land immediately around the walled garden consists of open meadows with woodland and trees around the perimeter.

Application Details

The application seeks listed building consent for changes to the existing sloping land levels within the walled garden to create a plateau area for the marquee. The marquee itself does not require listed building consent and is considered under the current planning application (DM/21/2509). This would create shallow slopes from the existing greenhouse to the plateau area and from this area to the southern wall.

LEGAL FRAMEWORK AND LIST OF POLICIES

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The National Planning Policy Framework (NPPF) advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise. Whilst this is not a planning application, the Planning Practice Guidance (PPG) advises that on any decisions where listed buildings and their settings are a factor, decisions should address the relevant policies in the development plan and the NPPF.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan and Copthorne Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP26 - Character and Design

DP34 - Listed Buildings and Other Heritage Assets

Copthorne Neighbourhood Plan (made September 2021)

None relevant

Other Planning Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Planning Policy Framework (NPPF) (July 2021)

Paragraph 12 of the NPPF states *'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'*

Paragraph 38 of the NPPF states *'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.'*

With specific reference to decision-taking paragraph 47 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- Design and Impact on the setting of the listed building
- Other Matters
- Planning Balance and Conclusions

Assessment

Design and Impact on the setting of the listed building

S.16 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'(1) Subject to the previous provisions of this Part, the local planning authority or, as the case may be, the Secretary of State may grant or refuse an application for listed building consent and, if they grant consent, may grant it subject to conditions.

(2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

(3) Any listed building consent shall (except in so far as it otherwise provides) enure for the benefit of the building and of all persons for the time being interested in it.'

Policy DP34 of the District Plan is relevant and states :

'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- Satellite antennae, solar panels or other renewable energy installations are not sited in a*
- prominent location, and where possible within the curtilage rather than on the building itself;*
- Special regard is given to protecting the setting of a listed building;*
- Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.'*

Paras 197, 199-202 of the NPPF state:

'197. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

199. *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

200. *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

201. *Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

202. *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

Policy DP26 of the Mid Sussex District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- is of high quality design and layout and includes appropriate landscaping and greenspace;*
- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- protects open spaces, trees and gardens that contribute to the character of the area;*

- *protects valued townscapes and the separate identity and character of towns and villages;*
- *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- *positively addresses sustainability considerations in the layout and the building design;*
- *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- *optimises the potential of the site to accommodate development.'*

Historic England have been consulted on the application and do not wish to offer comments but suggests seeking advice from the Council's Conservation Officer.

The Council's Conservation Officer has considered the application and has made the following initial comments on the application:

'The application site is a Grade II listed building dating from the 15th century and situated in a rural position outside Crawley Down. The current proposal relates to a 19th century walled garden area to the north of the house which is now unused, and is for the construction of a wedding marquee within the walled enclosure, with an associated new car parking area to be created within an adjacent small field or paddock, and an access track and pathways. The proposal is intended to provide a viable long term use for the house and grounds and to finance necessary repairs and upkeep.*

The house is considered to possess historical evidential and illustrative value as a very good example of a country house of the 15th century, with later alterations and extensions reflecting changing socio-economic conditions and the evolving needs and aspirations of successive owners. It also possesses aesthetic value. The verdant and rural setting of the house, including the extensive grounds, with surviving features such as the walled garden, makes a strong positive contribution to the special interest of the building and the manner in which this is appreciated, in particular those aspects of its interest which stem from its illustrative value as a historic country house, and its aesthetic value.

The proposal, which follows pre-application advice, will have some impact on the openness of the grounds and on the character of the walled garden in particular. However the location of the marquee and the design of the proposed associated landscaping works including the car parking area and access drive and pathways are considered generally sympathetic in principle, subject to detail. Certain aspects of the scheme do however require further information to ensure that the impact on the curtilage listed walled garden and associated structures is acceptable, and also to establish whether the submitted listed building consent application is in fact required:

- *The applicant should submit further information regarding the walled garden enclosure relating to its current structural condition and whether any works are required in terms of repair to ensure its longevity and in particular in light of the current application whether it is safe in its current state for public access in close proximity to it.*
- *The applicant should also submit similar information in respect of the structures associated with the garden, including the bothies and the glasshouses within the garden itself. These do not appear in a good state of repair, and again further information should be provided relating to the applicant's intentions in this respect.*
- *The applicant should supply further information detailing any works relating to controlling access to the areas around the walled garden and the bothies etc.- are any new fencing, gates etc. proposed? These should be shown on the submitted landscaping plan.'*

Following these comments there have been alterations to the proposal to maintain the existing structure of the walled garden and its associated buildings along with further details regarding the landscaping. The Conservation Officer has subsequently provided the following final comments:

'Following on from previous comments the application has been amended to reduce the width but increase the length of the marquee structure, allowing for a reduction in the width of the levelled platform within the walled garden area, and consequently a more gradual regrading from the rear to the front of the area. This has removed the need for the previously indicated 'living wall' retaining structure, in favour of a sloped bank to be planted as a 'wildflower meadow'. This is an improvement on the previous proposal and will allow for the retention to a greater degree of the existing character of the internal space of the garden.

Notwithstanding the above amendments, the marquee and associated access track and parking area represent a significant intrusion into the settings of both Rowfant Manor, and in particular the curtilage listed walled garden structures. While I remain of the view that the principle of the proposal is acceptable, this is on balance- the marquee, although it is a relatively light weight structure which is set away from any of the listed features, is acceptable only in that the wedding use should allow for the repair and continued upkeep of the walled garden structures. No repair works have been detailed with respect to the house, and it is not clear if the house is to be used in conjunction with the wedding activities- at present I am therefore assuming no direct benefit accruing to the primary listed building.

For these reasons, although the proposal is considered to meet the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF, this will be subject to detail to be reserved by a number of conditions relating to both the repair works to the walls, green house and bothies, and to details of the landscaping scheme to the walled garden and surrounding areas.

I note that the area of hard surfacing to the areas around the walled garden has increased during the course of the application due, as I understand it, to a requirement for access by emergency vehicles. This relates to both the width of the entrance track and the introduction of a large area of hardstanding in front of the

walled garden itself. This will have a detrimental impact on the verdant character of the setting of the walled garden, and I would prefer to see amendments to the landscaping as shown to reduce the amount of hard surfacing to the minimum acceptable in safety terms, and wherever possible the use of hoggin to be replaced by grasscrete (or similar) as is currently shown to the car parking area. It also appears that the track from the walled garden up to the car parking area has been increased in width which I doubt is necessary in terms of emergency vehicle access? If this can revert to a single vehicle width this would be preferable. These amendments could in my opinion be dealt with by an appropriate landscaping condition. On a more minor point I note that the 'wildflower' mix to the walled garden area to be regraded includes non-native species and is therefore not appropriate for us as a wildflower planting in this context. This also requires revision (and I would suggest although I will not include this in the condition that the applicant consult an expert as to the appropriate planting and maintenance regime to successfully establish a wildflower meadow).'

The Conservation Officer has also suggested conditions relating to a structural survey, hard and soft landscaping and any details regarding signage and external lighting. However, no proposed signage has been proposed within the application and would in itself not require planning permission and therefore not considered reasonable or necessary to include this condition.

Subsequent amended plans have been provided to reduce the proportion of hoggin to grass grid surfacing along with a reduction in the size of the hardstanding while maintaining sufficient space for emergency vehicles and turning areas. The non-native species have also been removed from the proposed landscaping.

The proposal would be located some 103 metres from Rowfant House with an area of woodland in between, which provides a degree of visual separation from the listed building. Amendments have been received since the original submission to reduce the impact on the existing structures within the walled garden along with a shallower slope within garden to remove the need for further retaining wall structures, along with subsequent reductions in the amount of hardstanding and the proportions of the materials used in line with the Conservation Officer's comments. These amendments are considered to retain the existing character of the internal walled garden and the proposal would also allow repairs and continued upkeep of the walled garden structures. Given the above it is considered that on balance the proposal would protect the setting and special interest of Rowfant House and the curtilage walled garden of the property.

Other Matters

Consultee responses have been received from WSCC Highways Authority, WSCC Fire and Rescue and MSDC Drainage Engineer on this application, however as this is a listed building application these matters cannot be taken into consideration and will be considered under the planning application (DM/21/2509).

Planning Balance and Conclusions

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The National Planning Policy Framework (NPPF) advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The proposal is considered to preserve the setting and the special interest of Rowfant House and the curtilage listed walled garden and therefore the heritage assets and their special interests would not be harmed by the proposed works. As a result, the proposal complies with policies DP26 and DP34 of the District Plan as well as the requirements of both the NPPF and the Listed Building and Conservation Area (LBCA) Act 1990.

It is therefore recommended that listed building consent be granted.

APPENDIX A – RECOMMENDED CONDITIONS

1. The works to which consent relates shall be begun not later than 3 years from the date of this consent.

Reason: To comply with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. No external materials shall be used other than those specified on the approved plans and application details without the prior approval of the Local Planning Authority.

Reason: To protect the appearance of the building and the area and to accord with Policy DP26 of the Mid Sussex District Plan.

3. Prior to the commencement of work a structural survey and details of repairs as necessary to ensure the structural integrity and good repair of the following shall be submitted to and approved by the Council:

- The walls surrounding the walled garden
- The green house structure within the walled garden
- The bothy structures to the rear of the north wall of the walled garden.

The repair works shall be completed prior to the commencement of the use hereby approved.

In relation to the walls and green house, the structural survey shall also be followed by appropriate monitoring of the wall structure during groundworks. The survey will be undertaken by an appropriately accredited contractor adhering to an approved methodology.

On completion of all groundworks and repair works an assessment report will be undertaken and submitted to the Council confirming the works undertaken are as approved and the structural integrity and good repair of the wall, greenhouse and bothies.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with Policies DP34 of the Mid Sussex District Plan.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) 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.

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 interest of proper planning.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Existing Elevations	384-EX-05		08.02.2022
Existing Site Plan	384-EX-01	B	08.02.2022
Existing Elevations	384-EX-02		
Existing Elevations	384-EX-03	B	08.02.2022
Existing Sections	384-EX-04	D	27.04.2022
Location Plan	384-PL-01	E	27.04.2022
Proposed Site Plan	384-PL-02	D	21.06.2022
Proposed Elevations	384-PL-03	B	27.04.2022
Proposed Elevations	384-PL-04	C	27.04.2022
Proposed Sections	384-PL-05	D	27.04.2022
Proposed Floor Plans	384-PL-06	B	27.04.2022
Proposed Elevations	384-PL-07	B	27.04.2022

APPENDIX B – CONSULTATIONS

Parish Consultation

Defer to the decision of the officer.

Conservation Officer - Emily Wade

Parish Consultation

Defer to officer.

Worth Parish Council

Comments dated 20/07/2021:

Defer to the decision of the officer.

Comments dated 05/10/2021:

Defer to officer

Historic England

Thank you for your letter of 30 July 2021 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

WSCC Fire and Rescue

Having viewed the plans for planning application DM/21/2512, the nearest fire hydrant to this intended Marquee 280 metres away, over 180 metres more than the required 100 metres. Should an alternative supply of water for firefighting be considered it will need to conform with the details identified in Approved Document - B (AD-B) Volume 2 2019 edition: B5 section 16.

The access route will also need to comply with AD-B: Volume 1 - B5 section 13; the access route needs to be 3.1 metres between a gateway and 3.7 metres between curbs, sections of the access route appear to be less than 3 metres wide, meaning a fire appliance would not be capable of reaching this commercial area.

MSDC Drainage Engineer

FLOOD RISK

The site is within flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers). The site is not within an area identified as having possible surface water (pluvial) flood risk. However, access to the proposed development is located over an existing watercourse and through areas of increased surface water flood risk.

There are not any historic records of flooding occurring on this site and in this area. This does not mean that flooding has never occurred here, instead, that flooding has just never been reported.

We would advise the applicant that a Flood Emergency and Evacuation plan is created to ensure site users safety in a flood event. This plan can be provided at detailed design stage.

SURFACE WATER DRAINAGE

The BGS infiltration potential map shows the site to be in an area with high infiltration potential. Therefore, the use of infiltration drainage such as permeable paving or soakaways may be possible on site. This will need to be confirmed through infiltration testing on site as part of detailed drainage design.

Very little information has been provided in relation surface water drainage. However, the application form states surface water shall discharge to a watercourse.

We would advise the applicant that due to the scale of the development surface water drainage for the development will need to be designed to cater for the 1 in 100-year storm event with an allowance for climate change. The drainage system should consider all impermeable surfaces created as part of the development and not just the marquee itself.

Surface water drainage will also need to follow the drainage hierarchy and use of infiltration considered before discharge to watercourse.

Further information into our general requirements for surface water drainage is included within the 'General Drainage Requirement Guidance' section.

FOUL WATER DRAINAGE

No information has been provided in relation to foul water drainage. The application form states the method of disposal is unknown. We would advise the applicant that foul water from toilets and kitchen should be managed appropriately.

We would advise that the use of non-mains foul drainage will need to consider the Environment Agency's General Binding Rules. If any proposed non-mains foul drainage does not meet with the General Binding rules, then an Environmental Permit will be required.

Details of the foul drainage system will be required as part of the detailed drainage design.

Further information into our general requirements for foul water drainage is included within the 'General Drainage Requirement Guidance' section.

SUGGESTED CONDITIONS

FOUL AND SURFACE WATER DRAINAGE

The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. The development shall not be occupied or utilised until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, Policy CS13 of the Mid Sussex Local Plan, Policy DP41 of the Pre-Submission District Plan (2014 - 2031) and Policy ...'z'... of the Neighbourhood Plan.

EMERGENCY FLOOD EVACUATION PLAN

The development hereby permitted shall not be occupied or utilised until an emergency flood evacuation plan has been submitted to and approved in writing by the local planning authority. This emergency flood evacuation plan should be reviewed, and updated where

necessary, by qualified professionals annually. All site users shall be made aware of the emergency flood procedures for the lifetime of the development.

Reason: In the interests of protecting site users from the flood hazard posed to the access and egress of the site.

MSDC Conservation Officer

Comments dated 23/08/2021:

Initial comments on the above planning and listed building consent applications.

The application site is a Grade II* listed building dating from the 15th century and situated in a rural position outside Crawley Down. The current proposal relates to a 19th century walled garden area to the north of the house which is now unused, and is for the construction of a wedding marquee within the walled enclosure, with an associated new car parking area to be created within an adjacent small field or paddock, and an access track and pathways. The proposal is intended to provide a viable long term use for the house and grounds and to finance necessary repairs and upkeep.

The house is considered to possess historical evidential and illustrative value as a very good example of a country house of the 15th century, with later alterations and extensions reflecting changing socio-economic conditions and the evolving needs and aspirations of successive owners. It also possesses aesthetic value. The verdant and rural setting of the house, including the extensive grounds, with surviving features such as the walled garden, makes a strong positive contribution to the special interest of the building and the manner in which this is appreciated, in particular those aspects of its interest which stem from its illustrative value as a historic country house, and its aesthetic value.

The proposal, which follows pre-application advice, will have some impact on the openness of the grounds and on the character of the walled garden in particular. However the location of the marquee and the design of the proposed associated landscaping works including the car parking area and access drive and pathways are considered generally sympathetic in principle, subject to detail. Certain aspects of the scheme do however require further information to ensure that the impact on the curtilage listed walled garden and associated structures is acceptable, and also to establish whether the submitted listed building consent application is in fact required:

- The applicant should submit further information regarding the walled garden enclosure relating to its current structural condition and whether any works are required in terms of repair to ensure its longevity and in particular in light of the current application whether it is safe in its current state for public access in close proximity to it.
- The applicant should also submit similar information in respect of the structures associated with the garden, including the bothies and the glasshouses within the garden itself. These do not appear in a good state of repair, and again further information should be provided relating to the applicant's intentions in this respect.
- The applicant should supply further information detailing any works relating to controlling access to the areas around the walled garden and the bothies etc. - are any new fencing, gates etc. proposed? These should be shown on the submitted landscaping plan.

Comments dated 04/11/2021:

The updated plan is in my opinion acceptable in terms of the layout and materials proposed, including new hard and soft landscaping (subject of course to confirmation by our Tree Officers of the appropriateness of the works). The open and verdant character of the space around the walled garden should be largely preserved by this proposal, which will preserve

the contribution that this part of its setting currently makes to the special interest of Rowfant House as well as to the curtilage listed walled garden structure.

The statement regarding the impact of the works on the structural condition and stability of the walls to the walled garden and on the bothies provides for a conservation led approach to the works with further detail provided at a later date by a specialist contractor, and suggests the imposition of an appropriate condition requiring a structural survey and method statement to be submitted prior to the commencement of works, to be followed by monitoring during and after the works to ensure the structural integrity of the wall is preserved. This in my opinion is an appropriate approach.

Comments dated 19/01/2022:

I've read and considered the submitted additional Heritage Statement.

In respect of the issue of curtilage listing of the greenhouse, which I did not realise was in question, I do not find the arguments put forward to be convincing. In my opinion the walled garden and hence the structures attached to it (the bothies and the greenhouse) clearly meet the criteria set out in the relevant Historic England guidance. I believe I have set out the reasoning for this in an earlier email, but if necessary I can do so again. Please let me know if you consider this helpful.

In terms of the assessment of the age and level of interest of the greenhouse, the submitted document is very thin and speculative in its conclusions. No reasoning is given for the speculative dating of the wood and brick components of the structure, beyond the assertion that 'wooden Victorian greenhouses would typically be freestanding or dwarf wall in design'. However I am aware of at least two examples locally of Victorian greenhouses in a walled garden location which are of timber frame construction set on brick walls of a comparable height to that at Rowfant:

Borde Hill Garden

West Dean Gardens

Likewise, no detailed assessment is given of the structural condition of the greenhouse or why it cannot be retained and repaired, perhaps with a new purpose found as part of the proposed wedding venue use for the site.

In my opinion, based on the information in front of us, I see no justification for the loss of the greenhouse, which although possibly altered or partially rebuilt appears from historic map evidence to have its origins in the 19th century, and is resonant of the original horticultural use of the space. This makes a positive contribution to the special interest of the curtilage listed walled garden, its historical evidential and illustrative significance, and how this is understood. I would suggest that in the absence of further, more compelling arguments to the contrary, the greenhouse is retained and reused as part of the current wedding venue proposal.

As it stands I consider that the proposal to remove it in its entirety is harmful to the special interest of the curtilage listed walled garden and to the positive contribution which this makes to the special interest of Rowfant House and how this is appreciated. This would be contrary to the requirements of District Plan Policy DP34. In terms of the NPPF I would consider the harm caused to be less than substantial, such that paragraph 202 of the NPPF would apply.

Comments dated 24/02/2022:

While I am glad to note the applicant's intention to retain the greenhouse I am afraid there is still a lack of clarity in the submitted plans about how this will be accomplished in the context of the regrading of the site in the area where the greenhouse is located. Comparison of existing and proposed Section AA and site plans does not help on this point and seems to show the greenhouse floating in mid air. Can the applicant please revise the relevant drawings to make this part of the scheme clear, including the relevant site levels around the greenhouse on completion? Proposed section AA at the moment, if one were to insert a ground level beneath the greenhouse, suggests a very steep drop off between this and the level of the marquee as shown. Is this achievable?

I note that the applicant is happy to accept a condition regarding the structural survey and method of retention of the garden wall and other structures during and on completion of the works. This is helpful, although I would suggest that from a procedural point of view it might better if the three elements were split into three separate conditions so that we do not have one condition requiring submission of information which will only be available at three different stages of the project. In particular, not all of this information can be available prior to the commencement of groundworks.

Comments dated 30/03/2022:

Thank you for forwarding the latest further information in respect of the above applications.

In my opinion, it is unfortunate that the applicants have not taken a more thorough approach to this submission from the outset, and did not initially set out the full extent and nature of the proposed works, or provide all the required supporting information. A more complete initial submission would have allowed us to understand from the outset what the implications of the works would be in terms of the impact on the setting of Rowfant House and on the curtilage listed walled garden. As it is, we have received information gradually and the full extent of the works involved is only now becoming clearer.

The recently submitted information suggests a substantial retaining wall extending almost the full width of the internal space of the walled garden will be necessary to allow for levelling of the lower area of the garden to accommodate the proposed marquee. The applicant suggests that this could take the form of a 'living wall'. However, I have concerns regarding the marked impact that this structure will have on the existing more natural topography of the site and the character of the walled garden space. I am doubtful that a 'living wall' will be successfully maintained, particularly as planting of this type is something that we could not control in the longer term, and I would be concerned that in time the living wall is likely to revert to just a wall, cutting across the middle of the garden space. In any case, the marked change in levels caused by the retaining wall will in itself have an adverse impact on the character of the garden, and its natural topography.

We also do not have the previously mentioned assurance from a structural engineer regarding the effectiveness of the current scheme including the retaining wall in ensuring that the surrounding structures would be unharmed by the regrading works.

For these reasons I would suggest that the application requires amendment to remove the need for such an abrupt change in levels within the walled garden area, for example by a reduction in size of the proposed marquee allowing for a more gradual sloping of the site from the top of the garden to the marquee platform, which would be less intrusive on the natural topography and could sustain a more natural planting (e.g. a grassed bank with wildflowers).

As it stands I consider that the proposal as now detailed will detract from the setting of the walled garden structures and of Rowfant House, contrary to the requirements of District Plan Policy DP34.

Comments dated 24/06/2022:

Further comments on the above planning application following the receipt of amended plans. My apologies for the delay in getting these to you which has been caused by pressure of other work. Please read these in conjunction with my previous comments on the proposal.

Following on from previous comments the application has been amended to reduce the width but increase the length of the marquee structure, allowing for a reduction in the width of the levelled platform within the walled garden area, and consequently a more gradual regrading from the rear to the front of the area. This has removed the need for the previously indicated 'living wall' retaining structure, in favour of a sloped bank to be planted as a 'wildflower meadow'. This is an improvement on the previous proposal and will allow for the retention to a greater degree of the existing character of the internal space of the garden.

Notwithstanding the above amendments, the marquee and associated access track and parking area represent a significant intrusion into the settings of both Rowfant Manor, and in particular the curtilage listed walled garden structures. While I remain of the view that the principle of the proposal is acceptable, this is on balance- the marquee, although it is a relatively light weight structure which is set away from any of the listed features, is acceptable only in that the wedding use should allow for the repair and continued upkeep of the walled garden structures. No repair works have been detailed with respect to the house, and it is not clear if the house is to be used in conjunction with the wedding activities- at present I am therefore assuming no direct benefit accruing to the primary listed building.

For these reasons, although the proposal is considered to meet the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF, this will be subject to detail to be reserved by a number of conditions relating to both the repair works to the walls, green house and bothies, and to details of the landscaping scheme to the walled garden and surrounding areas.

I note that the area of hardsurfacing to the areas around the walled garden has increased during the course of the application due, as I understand it, to a requirement for access by emergency vehicles. This relates to both the width of the entrance track and the introduction of a large area of hardstanding in front of the walled garden itself. This will have a detrimental impact on the verdant character of the setting of the walled garden, and I would prefer to see amendments to the landscaping as shown to reduce the amount of hardsurfacing to the minimum acceptable in safety terms, and wherever possible the use of hoggin to be replaced by grasscrete (or similar) as is currently shown to the car parking area. It also appears that the track from the walled garden up to the car parking area has been increased in width which I doubt is necessary in terms of emergency vehicle access? If this can revert to a single vehicle width this would be preferable. These amendments could in my opinion be dealt with by an appropriate landscaping condition. On a more minor point I note that the 'wildflower' mix to the walled garden area to be regraded includes non-native species and is therefore not appropriate for us as a wildflower planting in this context. This also requires revision (and I would suggest although I will not include this in the condition that the applicant consult an expert as to the appropriate planting and maintenance regime to successfully establish a wildflower meadow).

I would therefore recommend the following conditions:

1) Prior to the commencement of work a structural survey and details of repairs as necessary to ensure the structural integrity and good repair of the following shall be submitted to and approved by the Council:

- The walls surrounding the walled garden
- The green house structure within the walled garden
- The bothy structures to the rear of the north wall of the walled garden.

The repair works shall be completed prior to the commencement of the use hereby approved.

In relation to the walls and green house, the structural survey shall also be followed by appropriate monitoring of the wall structure during groundworks. The survey will be undertaken by an appropriately accredited contractor adhering to an approved methodology.

On completion of all groundworks and repair works an assessment report will be undertaken and submitted to the Council confirming the works undertaken are as approved and the structural integrity and good repair of the wall, greenhouse and bothies.

2) Detailed hard and soft landscaping plan to include details of materials, and for planting, of species. This should include any areas of new planting or replanted areas inside and outside the walled garden including but not limited to the bank to the rear of the marquee and the new hedgerow proposed to the west of the bothies. (Katherine please reword as necessary!)

3) Details of any new signage associated with the use, to be placed anywhere within the curtilage of Rowfant Manor, including signage to the road frontage, and directional signage within the site. Details to include location plan, elevations and materials.

4) Details of any external lighting including location plan, elevations and materials (if this is included in the scheme? I am assuming there may be lighting between the marquee and car park?

If you think appropriate I would also suggest a condition relating to the provision of services (light, water, sewage) to the marquee and how this is to be accomplished. These works should not be carried out in manner which visually intrudes upon or otherwise affects the character of the area.

WSCC Highways Authority

The proposal is for the Siting of a Marquee and ne parking area with internal access. The application site is located on a private access track leading from, Wallage Lane a publicly maintained, 'C' classified road subject to a national speed limit.

Although Wallage Lane is subject to national speed limit, due to the road geometry and the narrow nature of the rural lane, the Local Highways Authority (LHA) would not expect vehicles to be travelling at the posted speed limit in this location.

The Local Highways Authority (LHA) has viewed the submitted plans and documents, taking a view that the applicant has not submitted clear enough details to assist in the LHA's recommendation for the Local Planning Authority (LPA). The LHA has provided comments below outlining the issues.

Issues Raised

The LHA wishes to outline the issues that will need addressing before a formal recommendation can be made to the Local Planning Authority (LPA). This list will be followed with more detail below.

1. Trip Rates
2. Parking

Recommended correction and mitigation measures

The LHA wishes to supply the following recommendations. However, these are guidelines to aid in providing the corrections to the issues outlined above.

1. The LHA requests the applicant provides existing and proposed trip rates into and out of the site.
2. The LHA notes the applicant proposes a 48-space parking area on the plans. The LHA requests the applicant provides justification to such a large provision.

Conclusion

Please raise the above with the applicant and re-consult. Until such time, the LHA are not in a position to provide final comments until we receive the requested information as stated above.

The applicant and Local Planning Authority should be aware that the information provided for this request, might result in the need for further documentation upon resubmission.