Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/0152
Land To The Rear of 8 Station Road, Billingshurst, West Sussex, RH14 9RE

DESCRIPTION:

Erection of a detached two storey residential dwelling

RELEVANT PLANNING HISTORY:

BL/42/50	Application to station and use a caravan Comment: Tq ref: 0828-2588 (From old Planning History)	Application Refused on 11.10.1950
DC/14/2408	Detached two storey dwelling following removal of existing garage	Application Permitted on 03.03.2015
DC/17/1767	Proposed erection of three bedroom chalet bungalow. (Amendments to previously approved application DC/14/2408).	Application Permitted on 08.11.2017

SITE AND SURROUNDS

The application site is located to the south of Station Road, within the built-up area of Billingshurst. The site is located to the rear of a cluster of dwellings comprising 6, 8, 10, and 12 Station Road and to the east of Billingshurst Primary School.

The wider surroundings are characterised by a mix of residential development comprising detached and terraced properties. Billingshurst Primary School is located to the west of the site, and separated by the existing private lane and vegetation.

DETAILED DESCRIPTION

The application seeks full planning permission for the erection of a detached two storey 2-bed dwelling.

The proposed dwelling would extend over two storeys and would be sited immediately adjacent to the private lane which would provide access from Station Road to the north. The proposed dwelling would be oriented to face west, with private amenity space provided to the west.

1no. off-road parking space would be provided.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Neighbourhood Plan:
Billingshurst Parish Neighbourhood Plan
Policy Bill 1 – Billingshurst Built-Up Area Boundary
Policy Bill 2 – Housing Design and Character
Policy Bill 3 – Energy Efficiency and Design
Policy Bill 14 – Residential Parking Provision

Parish Design Statement:
Billingshurst Parish Design Statement

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

INTERNAL CONSULTATIONS

HDC Arboricultural Officer: Comment

The relationship of the new build to the mature oak tree on the adjacent property has been formerly considered in respect of similar development proposals/approvals at the site. It was not considered to be a constraint on site re-development as part of these earlier applications.

The pine tree on the corner of the driveway access is a prominent tree of high public amenity value. Due to its age, size and form it contributes positively to the character of the urban environment.

Service connections to the new development will be required from Station Road. This will foreseeably require excavations in close proximity to the stem of the tree, within its recommended root protection area. In order to control any excavations with the potential to harm the roots and future health of the tree an Arboricultural Method Statement is recommended.

HDC Environmental Waste Services: No response received

OUTSIDE AGENCIES

WSCC Highways: Comment

West Sussex County Council was consulted previously on Highway Matters for this location under planning applications DC/14/2408, DC/17/1767 and DC/18/2554 for similar proposals. No objections were raised to these proposals from a highways perspective subject to conditions.

The site is accessed via a shared private drive adjoining Station Road, Billingshurst. This access currently serves a number of dwellings; however the visibility to the east of the access appears to be somewhat restricted due to the bend in the road. This part of Station Road is a 30mph residential road with a school immediately to the west of the access; therefore there are adequate warning markers in place advising motorists to approach the bend slowly. Signage restricts vehicles speeds during school pick up and drop off times to 20mph, also prompting drivers to proceed cautiously.

The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over a period of the last five years. There have been no recorded injury accidents at the access with the public highway, onto Station Road. There is no evidence to suggest that the junction is operating unsafely, or that the proposed additional dwelling would exacerbate an existing safety concern.

The proposal would not be anticipated to generate a material number of vehicular movements over that currently generated by residents of the drive. The plans indicate an existing parking space will be for use by the proposed dwelling. It would appear a turn within the private drive is achievable with a multiple manoeuvre, this allowing for vehicles to exit on to Station Road in a forward gear, which assists in visibility of oncoming vehicles on Station Road. Existing properties along this route benefit from private accesses and parking extending from the drive.

The proposed single parking space falls short of the number of spaces as outlined within the WSCC Parking Demand Calculator (PDC) which outlines a dwelling of this size in this location would generate the requirement for 3 parking spaces. The LHA considers however that the site is within a sustainable location with good access to public transport. Furthermore secure and covered cycle parking is also proposed to help mitigate the need for a private vehicle, although unclear from plans where this will be located.

Key locations along Station Road are subject to parking restrictions in the form of double yellow lines, this prevents overspill parking in unsafe locations on the network.

The LHA does not consider that the proposal would have a ‘severe’ impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (para 115), and that there are no transport grounds to resist the proposal.

Drainage Consultant: No response received

Southern Water: Comment

Southern Water requires a formal application for a connection to the public sewer to be made by the Applicant or developer.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Natural England: Comment

Concur with the conclusion the Council has drawn in the Appropriate Assessment that it is not possible to ascertain that the proposal will not result in adverse effects on integrity of the Arun Valley designated

sites. Natural England advises that the proposal does not provide enough information and/or certainty to enable adverse effects on site integrity to be ruled out or to achieve water neutrality. Further information is required.

Parish Comments: Objection

- Design out of keeping with existing houses in the area

Representations:

4 letters of objection have been received from 2 separate households, and these can be summarised as follows:

- Proposed parking space should not extend out into the private access road
- Impact on turning circle
- Safety of access

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Principle of Development:

Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages which have defined built-up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the settlement hierarchy.

Policy Bill 1 of the Billingshurst Neighbourhood Plan states that development in Billingshurst Parish shall be focused within the built-up area boundary of Billingshurst Village.

Billingshurst is categorised as a Small Town and Larger Village within the settlement hierarchy, where it is recognised to have a good range of services and facilities, strong community networks, and local employment provision, together with reasonable rail and/or bus services. These settlements act as hubs for smaller villages to meet their daily needs, but also have some reliance on larger settlements/each other to meet some of their requirements.

It is noted that the application site has been subject of two previous approvals for residential development of the site under planning references DC/14/2408 and DC/17/1767.

The application site is located within the built-up area of Billingshurst where it is considered to be a sustainable location. The proposed development is considered to be of a nature and scale to maintain characteristics and function of the settlement in accord with Policy 3 of the HDPF.

Design and Appearance:

Policies 25, 32 and 33 of the HDPF promote development that is of a high-quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character

of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.

Policy Bill 2 of the Billingshurst Parish Neighbourhood Plan states that development proposals should be guided by the Billingshurst Parish Design Statement and, where practicable, should reflect the scale and local vernacular of the surrounding buildings and use materials that are in keeping with those used in existing buildings, as appropriate to their scale and nature into the overall design of the development.

The proposal would be located to the west of an existing grouping of buildings comprising 6, 8, 10 and 12 Station Road. The development would be located to the rear of these properties, and would be positioned adjacent the private access drive. The proposed dwelling would extend over two storeys and would incorporate a mono-pitched roof to the front and a flat roof element to the rear. The proposal would extend to a height of 6.7m and would be finished in facing brick with a green roof.

It is noted that a similar form of development was approved under earlier application reference DC/14/2408. It was recognised that the design of the proposal was contemporary, where the design and materials were considered to be of a high standard and of a similar scale to the surrounding buildings.

It is recognised that the Parish Council have objected to the proposed development on the grounds of the design being out of keeping with other development in the area. However, the wider surroundings are characterised by a variety of built forms with no discernible character within the street. The proposed dwelling would be set behind existing built form and would not therefore be overly visible from the street scene. The proposed design and appearance of the dwelling is not therefore considered to be incongruous within the mixed character of the street, with the contemporary style not considered to result in significant harm to justify a reason for refusal.

The proposed dwelling would sit comfortably within the context of the site and would be of a scale, massing and height, that would relate sympathetically to the character and built form of the surroundings. On the balance of considerations, the proposed development is considered to be of a scale, massing and design that would be acceptable, in accordance with the above policies.

Amenity Impacts:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

The proposed development would be located to the west of a grouping of dwellings and to the east of Billingshurst Primary School. The proposed dwelling would be positioned immediately adjacent to the shared access road extending from Station Road, and would be located approximately 22m from the rear elevation of the nearest neighbouring property to the east. The proposal has been designed with limited window openings to the rear, with 2no. windows serving ensuites located on the rear (east) elevation.

The proposed development has been designed to limit overlooking to the nearest residential properties, with the distance between the proposal and the neighbouring properties considered acceptable.

Subject to a condition requiring that windows to the rear (east) elevation be obscure glazed, it is not considered that the proposal would result in harm to the amenities of nearby residential properties, in accordance with the above policies.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

Policy Bill 14 of the Billingshurst Parish Neighbourhood Plan states that new residential development should provide a minimum number of car parking spaces in accordance with the West Sussex Residential Parking Demand Calculator.

It is recognised that previous applications on the site have been approved on the basis of a single off-road parking space. However, since these earlier approvals, the West Sussex Parking Standards Guidance has been updated and the Billingshurst Neighbourhood Plan has been made. Both documents place an emphasis on providing a minimum number of car parking spaces to serve the development.

West Sussex Guidance on Parking at New Developments places Billingshurst in Parking Behaviour Zone 2, where it is anticipated that 1.7 spaces be provided for a 2-bed dwelling. WSCC Highways have been consulted on the application, where it is considered that the application site is located within a sustainable location with good access to public transport. This would reduce reliance on private vehicles, with opportunities available to walk and cycle. It is also noted that key locations along Station Road are subject to parking restrictions in the form of double yellow lines which would prevent overspill parking in unsafe locations on the network.

It is acknowledged that the application site is located within a sustainable location, with opportunities to walk and cycle and good access to public transport. While the proposal would result in an undersupply of off-road parking spaces, and consequently some conflict with Policy Bill 14 of the Billingshurst Neighbourhood Plan, it is not considered that the undersupply would result in significant adverse harm to the safety and function of the highway network. It is not therefore considered that a reason for refusal on parking grounds would be justified.

On the balance of these considerations, the proposed development is considered to provide a sufficient level of parking, in accordance with the above policies.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The Applicant has submitted a Water Neutrality Statement which outlines that water efficient fixtures and fittings would be installed to reduce the water demand of the proposed dwelling to 76.3 litres per person per day. Based upon an average occupancy of 1.88 persons for a 2-bed dwelling, the total water demand would amount to 143.4 litres per day.

Information has also been provided in respect of rainwater harvesting, where it is calculated that a total of 8453.33 litres per month could be collected on average. It has not however been identified what this captured rainwater would be used for, and it is not therefore known whether this would be for potable or non-potable purposes. Insufficient information has therefore been provided in this regard.

The Water Neutrality Statement advises that the Applicant is willing to engage with the Council to offset this water through the Sussex North Offsetting Water Scheme or through contribution to another LPA approved scheme. No specific offsetting measures have been proposed.

Paragraph 54 of the Sussex North Water Neutrality Study: Part C – Mitigation Strategy document states that “priority of access to offsetting delivered through the LPA-led Offsetting Scheme should therefore be given to sites allocated in Local Plans and/or identified in the associated, published Local Plan housing trajectories (for example an allowance for Windfall). Speculative development, that may not be compliant with the Local Plan (to be defined individually by the LPAs) would not be prioritised in the Strategy.”

Natural England’s Position Statement outlines that whilst a strategic offsetting scheme continues to evolve, decisions on planning applications should await its completion or demonstrate water neutrality by other means.

As outlined within the Council’s FAQs, it is established practice that Grampian conditions should only be used where there is reasonable certainty that the condition can be discharged within the lifetime of the permission. Given that an LPA Offsetting Strategy is not currently available, and the specification of priority when available, it is not considered that a Grampian condition would provide the necessary degree of certainty.

The application site does not comprise a strategic allocation within the Local Plan and would represent speculative development in this regard. No Unilateral Undertaking has been submitted to secure adherence to the Offsetting Scheme, with no specifically worded Grampian condition suggested.

Notwithstanding this, it is not considered that the submission of a UU would provide the required level of certainty, and would not therefore secure water neutrality at the point of determination. There is no certainty that the Offsetting Scheme would be in operation over the lifetime of the development, and the development would be unlikely to be prioritised in the Strategy. In considering these matters, it is not considered that reliance on the Offsetting Strategy would provide the necessary certainty, and this cannot be relied upon to make the development water neutral.

For these reasons, insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2021), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.

Should the proposed development be approved, the following measures to build resilience to climate change and reduce carbon emissions would be secured by condition:

- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Cycle parking facilities
- Electric vehicle charging points

Subject to conditions securing these, the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Conclusions:

The application seeks full planning permission for the erection of a two storey 2-bed dwelling within the built-up area of Billlinshurst. The proposed development would be located within a sustainable location and is considered acceptable in principle.

The proposed development would on balance relate sympathetically to the character of the locality and built surroundings and not result in adverse harm to the amenities of neighbouring properties or the function and safety of the highway network.

Insufficient information has however been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2021), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

For the above reason, the proposed development is recommended for refusal.

<u>COMMUNITY INFRASTRUCTURE LEVY (CIL)</u>

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

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	167.35	0	167.35
		Total Gain	**167.35**
		Total Demolition	**0**

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

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

Recommendation: Application Refused

Reason for Refusal:

1 Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2021), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/24/0152
Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Block plan	Location and Site Plans	3_100001A	21.02.2024
Elevation & Floor plan	Plans and Elevations	3_100002A	21.02.2024

DELEGATED

Case Officer sign/initial	Tamara Dale	Date:	23.04.2024
Authorising Officer sign/initial	RHERMITAGE	Date:	29.04.2024