Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1007
38A Quarry Way, Southwater, West Sussex, RH13 9SU

DESCRIPTION:
Variation of Condition 1 of previously approved application DC/24/0289 (Demolition of outbuildings and construction of a new detached double storey dwelling (Class C3)) for re-siting of dwelling.

RELEVANT PLANNING HISTORY:

DC/25/0643	Non-Material Amendment to previously approved application DC/24/0289 (Demolition of outbuildings and construction of a new detached double storey dwelling (Class C3)) for minor re-positioning of house away from eastern boundary and re-arrangement of car parking spaces.	Application Refused on 23.05.2025
DC/24/0289	Demolition of outbuildings and construction of a new detached double storey dwelling (Class C3).	Application Permitted on 07.05.2024

SITE AND SURROUNDS

38A Quarry Way is located at Timber Mill within the built-up area of Southwater. The existing terrace house has an extensive garden stretching to both the south and the east. The application site is situated next to a car park used by residents of dwellings that do not benefit from a driveway.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 – Parking

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old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d).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 1 year. 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.

Southwater Neighbourhood Development Plan (2019-2031):
SNDP14 - Adequate provision of car parking
SNDP16 - Design

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

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:

HDC Arboricultural Officer: Advice [Summary]
The intensification of proposed development could have a detrimental impact on the future health and retention of two remaining oak trees of high public amenity value situated in adjacent gardens to the southeast.

The revised application extends the footprint of the build and foreseeable extent of desired associated hard standing etc. closer to the protected trees.

If minded to approve, **additional information and conditions** are recommended to control development processes and potential excavations and engineering that may be detrimental to tree rooting and future tree health.

WSCC Highways: Comment
In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS:
Representations:
None received.

Parish Comments:
Southwater Parish Council: Objection
SNP14. 1, 2 & 3 – over-intensification of the site. The Study has an ensuite and is classed as a bedroom making this a 3-bedroom property. Therefore, 3 car parking spaces are required for this property alone without the requirement for the building whose land it is now requiring additional car parking space.

Failure to meet water neutrality standards – the water neutrality is proposed for a two-bedroom property, but this will be classed as a 3-bed property due to the study / 3rd bedroom shown. There is no mention of how this will be monitored or controlled, and the figures are speculative.

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

The application seeks a minor material amendment to the existing planning permission (ref: DC/24/0289) through a variation of the approved plans list (Condition 1), to accommodate a series of amendments to the approved design such as the re-siting of the dwelling and amendments to parking. The extant approved scheme had an internal floor area of 50,28m2 on the ground floor and 48.13m2 on the upper floor. The proposed GIA is 52.50m2 on the ground floor and 43.36m2 on the upper floor. There are also some minor alterations to the location and appearance of the dwelling:

- Move the dwelling 1m away from the boundary
- Reduction in the gap between the proposed dwelling and neighbouring to 1.7m
- Larger front porch area – extending further out to the front and removal of the open porch section
- Addition of first-floor window on front elevation

Design and Appearance

Policies 32 and 33 of the HDPF seek to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing, and appearance of development relates sympathetically with the built surroundings, landscape, open spaces, and routes within and adjoining the site, including any impact on the skyline and important views.

The proposal seeks to re-site the dwelling to reduce the distance with the neighbouring dwelling but increase the distance from the boundary line to the east by 1m. The scale of the proposed dwelling remains similar to the extant approved scheme, with no changes to the approved ridge height. However, there are some minor design changes such as the porch area becoming enclosed and extending further out to the front. A first-floor window is proposed on the front elevation, for the stairway. There would also be a number of alterations to the internal configuration of the dwelling, such as relocating bathrooms and ensuites. The materials remain the same, so the appearance of the dwelling would remain similar to the approved scheme.

The proposed dwelling would accommodate a kitchen, living room, 2 bedrooms, study, and bathrooms. The dwelling would sit at an angle to the terraced dwellings, located towards the car park to the east of the site. Towards the rear, there is significant vegetation which screens the dwelling from some views. Due to the orientation of the dwelling, views from the south-west would be blocked by the neighbouring 38A Quarry Way. The dwelling would be of a similar scale and size to the existing dwellings in the surrounding area.

The objection from Southwater Parish Council relating to the overdevelopment and over-intensification of the site is acknowledged. However, it is considered that the application site benefits from a sizeable curtilage, that could comfortably accommodate the proposed dwelling without harmfully impacting on amenity. While some level of light may be reduced due to the location of the dwelling, it is considered that this would not be detrimental to the enjoyment of the neighbouring dwelling.

The visual impact of the proposal is therefore considered acceptable and in accordance with the above polices.

Trees and Landscaping

With regards to landscaping, 2 mature oak trees protected by a Tree Preservation Order in the adjacent gardens of Timber Mill. These trees are considered of great visual amenity value. It is considered that the proposed foundation line will not foreseeably have a significant direct impact on the future health of the trees, but the demolition process and associated intensification of site use may have an impact. The HDC Arboricultural Officer recommended a minimum root protection area (RPA) of these trees is fenced off as an exclusion zone from all demolition and construction processes. Further details are required regarding landscaping and drainage, this will be secured through a condition.

Impact on Neighbouring Amenity

Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

The proposal to relocate the proposed dwellinghouse would involve reducing the distance between the proposed dwelling and the existing dwelling from 2.7m to 1.7m. As the dwelling is positioned at an angle, the smallest gap between the existing and proposed would be 1.7m and the rest of the dwelling would be positioned further away. There are no windows proposed on the first floor of the west elevation, with only a bathroom window on the ground floor. It is considered that while there is a smaller distance between dwellings, that privacy would be maintained, and the enjoyment of the existing and proposed dwellings would not be detrimentally impacted by this reduction, to an extent that would warrant a refusal.

A level of overlooking would be expected in a residential setting like this with gardens backing onto each other, but it is considered that any potential overlooking would not be so harmful to warrant a refusal. The dwelling has been designed in such a way to ensure that privacy is maintained between themselves and 38A Quarry Way. Sufficient rear amenity space would be retained for both the existing dwelling and the proposed. Vegetation, trees and bushes would help to shelter the dwelling in views from the south.

Impact on Parking Provision

Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

Table 2 within the West Sussex County Council Guidance on Parking at New Developments (September 2020) indicates that a 2-bedroom dwelling within Parking Behaviour Zone 2 would be anticipated to provide 1.7 off-road parking spaces.

As there are no changes to the number of bedrooms within the dwelling, which remains at 2, it is considered that there would be sufficient parking provision. The submitted floor plan indicates that there is space for approximately 3 parking spaces which could sufficiently meet the requirements from WSCC. The access to the driveway would be increased in length to allow for greater ease of access to

the site. It is considered that there is sufficiently sized driveway that can accommodate multiple cars, and the proposed hardstanding can accommodate approximately three car parking spaces to be shared by both the existing and proposed dwellings.

The objection from Southwater Parish Council relating to the shortfall of parking is acknowledged. It is considered that while the dwelling would accommodate 1 or 2 parking spaces for the proposed dwelling on the driveway, which is shared with shared by both 38A Quarry Way and the proposed dwelling; that Timber Mill is an area used predominately for parking in the area. Timber Mill is a no through road, which is comprised of two car parking areas for dwellings to the south and east, which do not benefit from driveways, and a turning area. This area comprises unrestricted parking, with no permit required. It is considered that the potential use of this area for parking overspill is not considered to be harmful.

The highways impact of the proposal is considered acceptable and in accordance with the above polices.

Water Neutrality

In matters relating to water neutrality, the alterations to the approved dwellinghouse would not result in greater occupation than the approved extant scheme. As such there is no clear compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the dwelling necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sties or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusions:

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

2 **Regulatory (Time) Condition**: The development hereby permitted must be commenced by the 7th of May 2027.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-Commencement Condition**: No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- The off-site TPO oak trees to the south-east whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012) at a minimum distance of 10m from the trunk of the nearest tree.
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- The areas so fenced off shall be treated as a zone of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement (slab level) Condition**: No development above ground floor slab level shall commence until details of the proposed treatment and filtration system for the proposed rainwater harvesting system serving the washing machine has been submitted to and approved in writing by the Local Planning Authority. The submitted detail shall include:

- Details, including a plan or schematic, showing the supply, storage tanks, and treatment of the system.
- Detail on what type of treatment that will be installed on the supply, demonstrating that the supply will be to a potable standard.
- Detailed information clearly indicating that it is appropriate for the amount of water being used.
- Detail on how the treatment system, pipework, tanks etc will be cleaned and maintained and who will maintain them for the lifetime of the development.

The approved details shall be operated in full at all times. No alterations or revisions to the approved management plan shall be implemented without the written approval of the Local Planning Authority.

Reason: To ensure that the washing machine is supplied with a suitable water supply and that the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 193 and 194 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority 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).

5 **Pre-Commencement (slab level) Condition**: No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywaterharvesting system required by the approved water neutrality strategy (Water Neutrality Statement 2 received 02.04.24) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 193 and 194 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority 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).

6 **Pre-Occupation Condition**: No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 193 asnd 194 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority 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).

7 **Pre-Occupation Condition**: No part of the development hereby permitted shall occupied until the first-floor window serving the bathroom on the east elevation, as shown on Plan 2312 04A have been fitted with obscured glazing. No part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

9 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the car parking spaces necessary to serve it have been constructed and made available for use in accordance with approved drawing number [2312 06]. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the district and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

11 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

13 **Regulatory Condition**: No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

14 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or reenacting that Order) the dwelling hereby permitted shall not be enlarged under Class A, AA or B of Part 1 within Schedule 2 of the Order without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to the constraints of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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/25/1007

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Design & Access Statement		NONE	20.06.2025
Elevation plan		07	18.06.2025
Floor plan		06	18.06.2025
Supporting Statement	Water Neutrality	NONE	21.02.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 13.08.2025

Authorising Officer sign/initial RHERMITAGE Date: 15.08.2025