Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/0477
Cabana, Lording's Lane, West Chiltington, West Sussex, RH20 2QU

DESCRIPTION:

Replacement roof and loft conversion with front and rear dormers.

RELEVANT PLANNING HISTORY

None relevant

RELEVANT PLANNING POLICIES

Horsham District Planning Framework (2015):
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles

Neighbourhood Plan:
West Chiltington Parish submitted their Submission draft plan to Horsham District Council on 19 November 2018. In accordance with legislation, the Council is in the process of considering whether the plan meets the Basic Conditions and can progress to Regulation 16 consultation and formal examination.

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:

Natural England: Standing Advice:-

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

Parish Comments:

No objection

Representations:

3 letters of representation from 2 separate addresses received objecting to the application for the following reasons:

- Overdevelopment of the dwelling/site
- Not a loft conversion but an additional storey
- Increase in height will be detrimental to the street scene
- Increase in traffic
- Water neutrality will not be achieved
- Proposed design would result in a top heavy appearance
- Loss of a generally affordable dwelling
- Loss of privacy
- Use and damage to lane

1 letter of representation received neither objecting to or supporting the application. This does however make comment on the ownership of the access to the application site.

1 letter of representation received in support of the application which stated that the proposal was a good design and will improve the property

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

Character and Appearance

Policy 32 and 33 of the HDPF seeks 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 application seeks planning permission for the replacement roof and loft conversion with front and rear dormers. It is noted that objections have been received in respect of the design of the proposal and the resulting scale which the objections consider would result in a top heavy appearance. It is however considered that the addition would be of a design, form, and scale that would sit comfortably within the context of the existing dwelling. The proposed dormers are considered to be proportionate to the resulting roof scape, with the resulting dwelling considered to be similar to other dwellings within the wider locality.

The proposal would be of a design, form and scale which is appropriate to the character and appearance of the existing dwelling, and which would not harm the character or appearance of the wider area. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

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.

It is noted that objections have been received raising concerns with overlooking and loss of privacy caused by the proposed dormers. The nearest neighbouring properties are located to the east and west of the application site, with The Doubles set further to the south and Greenway Cottage positioned further to the north. Greenways House is located further to the south-east of the application site.

The proposed dormers would be located within the north and south roof slope to face the private amenity space serving the application dwelling. Whilst it is recognised that oblique views to the east and west may be possible, given the distance and layout of the properties, it is not considered that this would result in such a degree of overlooking or loss of privacy to justify a reason for refusal on amenity grounds. The resulting relationship between properties would not be unusual or unexpected in an established residential location such as this.

It is therefore considered that the siting and layout of the proposed addition and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Other Matters

Officers note comments from neighbouring representations relating to resurfacing works and potential damage to the private road during the construction period. With regards to the comments relating to construction vehicles, deliveries and hours of work it is considered that the modest scale of the proposal would not be expected to result in any significant or longstanding impacts. Any disputes relating to resurfacing works and the management of the deliveries etc are considered civil matters and should be resolved by the applicant and interested parties outside of the planning process. For these reasons, no conditions relating to these matters are considered necessary in this instance.

Water Neutrality

There is no clear or 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 sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusion

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

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

3 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved plan reference 2024/39 Sheet 2 of 3.

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).

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/24/0477
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Existing Details	2024/39 Sheet 1 of 3	04.04.2024
Elevation & Floor plan	Proposed Details	2024/39 Sheet 2 of 3	27.03.2024
Location & Block plan	Proposed Details	2024/39 Sheet 3 of 3	27.03.2024

DELEGATED

Case Officer sign/initial Marie Riggs Date: 23.05.2024

Authorising Officer sign/initial Tamara Dale Date: 30.05.2024