Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1557
99 Blackbridge Lane, Horsham, West Sussex, RH12 1RU

DESCRIPTION:
Attached two-bedroom dwelling with associated parking and access.

RELEVANT PLANNING HISTORY:
None identified.

DESCRIPTION OF THE SITE
The application is located within the built-up area of Horsham. The site comprises a residential garden for an existing semi-detached dwellinghouse, that sits parallel to Blackbridge Lane. The application site is bound by hedging and timber fencing boundary treatment, along all sides. The site is not within a conservation area.

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 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 40 - Sustainable Transport
Policy 41 - Parking

Horsham Blueprint Business Neighbourhood Plan (2019-2036):
Policy HB3: Character of Development
Policy HB4: Design of Development

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old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d).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

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 1: Sustainable Development
Policy 2: Development Hierarchy
Policy 6: Climate Change
Policy 8: Sustainable Design and Construction
Policy 9: Water Neutrality
Policy 19: Development Quality
Policy 20: Development Principles
Policy 37: Housing Provision
Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District

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:
Natural England: No Objection, subject to appropriate mitigation being secured. The delivery, management and maintenance of any measures identified in the applicant's water neutrality statement that are required to ensure that the proposed development will not result in increased levels of abstraction within the Sussex North Water Supply Zone.

Southern Water: Comment. Investigations indicate that Southern Water can facilitate foul sewerage disposal to service the proposed new development via your existing dwelling connection as proposed. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

WSCC Highways: (*Final Comments*): -

A new vehicular access point is proposed on Blackbridge Lane to serve the site. The applicant has undertaken a seven-day speed survey, which found the 85th percentile speeds in this location to be 27.6 mph eastbound and 26.2 mph westbound. Using Manual for Streets (MfS) Stopping Sight Distances (SSD), this would dictate visibility splays of 2.4m x 38m to the west and 2.4m x 36m to the east. The submitted visibility diagram has demonstrated these visibility splays to the satisfaction of the LHA. The proposed access works will be subject to a Vehicle Crossover (VCO) licence obtained through local WSCC Highway Area Office.

Provision for one off-street parking space has been demonstrated. On-site turning does not appear achievable, reversing off site is not anticipated to give rise to an adverse highway safety impact due to suitable visibility splays. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size and location would require two car parking spaces. There are comprehensive parking restrictions in place on the nearby roads prohibiting vehicles from parking in places that would be detrimental to highway safety. The LHA does not anticipate that the shortfall of one parking space would give rise to a highway safety concern or parking capacity issue.

Regarding cycles, the plans demonstrate a secure cycle shed, which appears of a suitable size to accommodate at least one bicycle.

The site is situated in a sustainable location within walking/cycle distance of local services and amenities. Cycling is a viable option in the local area. In terms of public transport, the hourly 100 service passes through Blackbridge Lane.

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 115) and that there are no transport grounds to resist the proposal.

Representations:
12 representations were received (from 6 individual addresses), objecting to the application on the following grounds:

- Highway access and safety
- Overdevelopment of the site
- Car parking inadequate
- Out of context to the existing dwelling
- Alters open character of the areas and harm to the street scene.
- Small amenity space
- Devalue property as turn into an end terrace.
- Too close to boundary of the plot and the footpath
- Driveway positioned on busy sharp bend.
- Disruption whilst building work is completed.

Parish Comments:
Denne Neighbourhood Council: Objection: -

- The proposed dwelling would be out of character within the street scene.
- Other houses are set well back from the road, giving continuous sight line.
- Only one parking space provided for the proposed 2-bedroom dwelling which is insufficient.
- Overdevelopment

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 (2015) ('the HDPF') states that development will be permitted within built-up area boundaries and that 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.

The site is within the built-up area of Horsham with the scale of the development appropriate to the function of the settlement. The principle of the development is therefore considered acceptable, subject to detailed considerations.

Design and Appearance:

Policy 32 of the HDPF states that good design is a key element in sustainable development and seeks to ensure that development promotes a high standard of urban design, architecture, and landscape. Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

The proposed dwelling would be sited within the side curtilage of 99 Blackbridge Lane, a semi-detached property located to the north and sited perpendicular to the highway. The locality benefits from an open green to the front of properties which are sited in a broad crescent arrangement. As a consequence, the front elevation of the site is highly visible in views south / east along Blackbridge Lane. The proposal entails a two-storey side extension to create a new end-terrace dwelling. There are various types of properties present in the immediate surrounds, including detached, semi-detached, terraced and flatted dwelling types. In this context the presence of a terrace row would not be incongruous.

There is a variable building line to surrounding development, with extensive areas of openness provided by landscaped areas maintained along Blackbridge Lane. The application site contributes to this character, albeit the presence of boundary screening serves to lessen the sense of openness around the existing built form on the site. As part of the application process amended plans have been received which increase the separation between the proposed building and the site boundary with Blackbridge Lane. It is considered that the resulting layout is sufficient to ensure there is no harmful loss of openness around either the existing building or in this section of Blackbridge Lane more generally. It is therefore considered that in design terms, the proposed extension would not represent a harmful overdevelopment of the site and would not appear a cramped or incongruous addition to the street / locality. The current site has hedging and timber fencing along the boundary line, which would be retained to ensure sufficient screening along the public footpath.

The proposed design would be broadly reflective of the existing building, with a lowered central ridge (in comparison to the existing semi-detached pair) set between two higher ridges. This approach would create a staggered roofline which would be somewhat at odds with the immediate roofscape. It is though considered, given the wider variation in the surrounding area that no demonstrable harm would result from this arrangement. The proposed materials would be reflective of the existing house.

While the representations received on the application are acknowledged, it is considered that the site can accommodate a dwelling of this scale without any harm to the prevailing character and appearance of the locality. The proposed siting, form and design is similar considered appropriate to the existing building and surrounding development. The visual impact of the proposal is therefore considered acceptable and in accordance with the above policy.

Residential 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 siting of the development would minimise the potential for unacceptable harm to the existing adjoining property, with key front and rear openings and the remaining amenity space continuing to benefit from adequate natural light and outlook. The siting of the proposed dwelling and its relationship with remaining surrounding properties would retain appreciable separation, with this arrangement considered sufficient to prevent any unacceptable harm.

The proposal would not create any views to neighbouring properties or land which would be unusual or unexpected in a location such as this, and no harmful loss of privacy would result.

The residential amenity space for both the existing dwelling and the proposed, would be sufficient following removal of the outbuilding at 99 Blackbridge. A 2m tall solid timber fence would subdivide the rear gardens between the dwellings.

The impact of the proposal on amenity is considered acceptable and in accordance with the above policy.

Highways Impacts:

Policy 40 of the HDPF deals with sustainable transport and seeks new developments to provide safe and suitable access for all vehicles, pedestrians, cyclists, horses riders, public transport, and the delivery of goods. Policy 41 which relates to parking requires adequate parking and facilities to be provided within developments to meet the needs of anticipated users.

One parking space is provided on site for the provision of one vehicle. The applicant notes that the communal area for parking outside 99 Blackbridge Lane would not be used for off-road parking for the proposed dwelling. The West Sussex Parking Standards include a minimum of 1.1 parking spaces for a two-bedroom dwelling, this would appear achievable. However, it is noted that WSCC Highways, in their response, stated that they required two car parking spaces. There is 18m2 of off-street parking, with an acceptable amount of amenity space for vehicles parked on the property. There is bike and bin storage provided, as well as the provision for an electric charging point. WSCC Highways requested more information regarding visibility splays, which was provided by the applicant. The visibility splays provided dictated visibility splays of 2.4m x 38m to the west and 2.4m x 36m to the east, which was considered satisfactory to the Local Highway Authority. The proposed access works would be subject to a Vehicle Crossover (VCO) Licence. The site is located within a sustainable location, within walking distance of local services and amenities, with cycling a viable option. No highways objection was raised to the proposed development.

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 submitted Water Neutrality Statement outlines that the existing baseline water demand is 0 l/d. The proposed development would comprise a water demand of 84.7 l/p/d, totalling 159 l/d based on average occupancy of 1.88. By retrofitting water efficient fixtures and fittings at the existing dwellinghouse on site, a water consumption of 224 l/d is achievable, which is a saving of 216 l/d and would offset the 159 l/d proposed at the new dwelling. Therefore, the development would be water neutral.

Natural England were consulted on the water strategy following the carrying out of an Appropriate Assessment by officers, and raised no objection, subject to the delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality. The information available and the mitigation measures proposed are considered to provide the necessary certainty to demonstrate that the proposed development would be water neutral. Appropriate mitigation measures have been demonstrated and are considered sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC, and Ramsar site from the development either alone or in combination with other plans and projects, in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy

Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats and species).

Other Matters:

Foul Water Drainage:

Southern Water were consulted on the application. They concluded that Southern Water can facilitate foul sewerage disposal to service the proposed development via the eixsitng dwelling connection as proposed. It is considered that this is an acceptable drainage strategy.

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. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

- Dedicated refuse and recycling storage capacity
- Opportunities for biodiversity gain
- Cycle parking facilities
- Improved pedestrian and cycle links
- Electric vehicle charging points

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

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

- The development qualifies as 'self-build or custom housing' under Regulation 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Conclusions:

For the above reasons, the proposal is considered to be acceptable and accord with the relevant local and national planning policies.

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 **Pre-Commencement (Slab Level) Condition**: No new-build development above ground floor slab level shall commence until full details of the water efficiency measures required by the approved water neutrality strategy (prepared by H20geo, received 07.10.2024) have been submitted to and approved in writing by the Local Planning Authority. The installed measures shall be retained as such thereafter, or to a similar or improved water performance.

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), Paragraph 193 of the National Planning Policy Framework, 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).

4 **Pre-Occupation Condition**: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Neutrality Statement received 07.10.2024). The dwelling hereby permitted shall not 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, or to a similar or improved water performance.

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 179 and 180 of the National Planning Policy Framework, 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-Occupation Condition**: The dwelling hereby permitted shall not be first occupied until visibility splays of 2.4 metres by 38 metres to the west and 2.4 metres by 36 metres to the east have been provided at the proposed site vehicular access onto Blackbridge Lane (in accordance with the approved drawings). Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level.

Reason: In the interests of road safety and in accordance with policy 40 of the Horsham District Planning Framework (2015).

6 **Pre-Occupation Condition**: The dwelling hereby permitted shall not be fist occupied until the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled "Site Layout Proposed" and numbered 766/05 Rev. E.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition**: The dwelling hereby permitted shall not be occupied until cycle parking facilities have been constructed and made available for use in accordance with approved drawing number [766/05 E]. The cycle parking facilities shall thereafter be retained as such for their designated use.

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).

8 **Pre-Occupation Condition**: The dwelling hereby permitted shall not be occupied until car parking spaces (including garages where applicable) necessary to serve it have been constructed and made available for use in accordance with approved drawing number [766/05 E]. 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).

9 **Pre-Occupation Condition**: The dwelling hereby permitted shall not 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).

10 **Pre-Occupation Condition:** Notwithstanding the submitted details, no part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

(a) Details of all existing trees and planting to be removed and retained
(b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
(c) Details of all hard surfacing materials and finishes
(d) Details of all boundary treatments

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

11 **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).

12 **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).

NOTE TO APPLICANT
Vehicle Crossover – Minor Highway Works
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

Additional information about the licence application process can be found at the following web page:

http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways-licence/

NOTE TO APPLICANT
Please note that Southern Water require a formal application for connection to the water supply in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk .

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/24/1557
(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
Location & Block plan	Site Location & Block Plan Proposed	766/04 Rev F	12.02.2025
Site plan	Site Layout Proposed	766/05 Rev E	12.02.2025
Floor plan	Floor Plans As Existing	766/02	07.10.2024
Elevation plan	Elevations As Existing	766/03	07.10.2024
Floor plan	Ground & First Floor Plans Proposed	766/06 A	12.02.2025
Elevation plan	Elevations Proposed	766/07 A	12.02.2025

Design & Access Statement		none	15.10.2024
Supporting Statement	Water Neutrality Statement	20231101P1 FINAL v2.0	07.10.2024
Supporting Statement	ATC Report	NONE	25.11.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 05.03.2025

Authorising Officer sign/initial Guy Everest Date: 07.03.2025