Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0258
Naldretts House, East Street, West Chiltington, West Sussex, RH20 2JY

DESCRIPTION:

Conversion of garage into habitable living space with associated alterations, and erection of new detached garage.

RELEVANT PLANNING HISTORY:

DC/20/0394	Erection of a detached car garage with an integrated room/store together with ancillary accommodation in the roof space served by two dormer windows for use in connection with the existing dwelling.	Application Permitted on 11.06.2020
DC/21/0720	Erection of a detached two-storey dwelling with detached garage / store and associated access and landscaping.	Application Refused on 02.07.2021
DC/21/1133	Erection of a link detached car garage with an integrated room/store together with ancillary accommodation in the roof space served by two dormer windows for use in connection with the existing dwelling.	Application Permitted on 22.07.2021

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
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 40 - Sustainable Transport
Policy 41 - Parking

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 9: Water Neutrality
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 24: Sustainable Transport
Policy 25: Parking
Policy 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

Neighbourhood Plan:
West Chiltington Neighbourhood Plan has been submitted in draft form. 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.

West Chiltington Common Parish Design Statement

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 Conservation Officer: Comment

There has been an appreciation in the past of piecemeal development and an increase in built form that is eroding the perception of the setting of the neighbouring listed building. This incremental sprawl remains harmful at the lower end of less than substantial harm.

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: Objection

This is overdevelopment of the plot, close to a Listed Building setting. The proposed location of the new garage is forward of the existing building line and will be unduly prominent in the street scene.

Representations:

1 representation in support of the application received, and this can be summarised as follows:

- Proposed garage positioned well back from the road and only visible from a very narrow section of the road and at a considerable distance
- The visual backdrop to the proposed location is the group of houses on Steele Close, not open countryside or heritage buildings which lessens the visual impact on the setting
- Proposal does not constitute overdevelopment, nor does it detract from the setting of the nearby Listed Building
- The development is sympathetic to the surroundings

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 site is south of East Street within the West Chiltington Village Built Up Area Boundary and in excess of 200 metres east of the Conservation Area. The application site is to the rear of the nearest neighbouring property Little Naldretts and is accessed from the south side of East Street via a drive which runs between the west boundary and Little Naldretts. A public footpath (PROW2356) runs southwards adjacent to the western boundary of the site. The nearest grade II listed buildings, namely Naldretts Farm and Barn, are located to the northwest. Boundary treatment with the PROW is m high closeboard fencing providing screening of the site from public views.

Planning permission is sought for the conversion of the existing integrated garage space into habitable living space for use as a tv room, with a pair of windows to replace the garage door and a pair of double glazed doors to the rear (white upvc to match existing). The erection of a detached double garage is also proposed located at the southern boundary of the site, adjacent to the existing integrated garage at the southwest corner of the dwelling. The new garage to have a dual pitched plain tiled roof, hipped at the sides, timber cladding, wood grain effect roller shutter doors, and the garage to have a separation distance of 5.3 metres from the western boundary.

Character 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.

Policy 34 of the HDPF states that development affecting heritage assets will be required to reinforce the special character of the district's historic environment through appropriate siting, scale, form and design, including the use of traditional materials and techniques; make a positive contribution to the character and distinctiveness of the area; and preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.

It is noted that the Parish Council have objected to the proposal on the basis of overdevelopment of the site, the impact on the nearby Listed Buildings, and the prominence of the proposed garage in the street scene. Whilst the proposed garage would be positioned forward of the principal elevation, there are examples of outbuildings positioned forward of the principal elevation within the wider locality. Furthermore, given the set back of the site from the public highway, it is not considered that the proposal would appear noticeably prominent within the street scene. Although acknowledged that the additional built form would reduce the amenity space to the front of the property, the scale and size of the outbuilding is not considered to result in overdevelopment of the site. Following consultation with the Design and Conservation Officer, while the proposal would facilitate further incremental sprawl, it is not considered that this would be of such degree to justify a reason for refusal on heritage grounds.

The proposed new garage would be a subservient addition to the existing dwelling and would sit comfortably within the application site plot and is considered to 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. The materials used in the conversion of the existing garage would match existing. 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 considered that the siting and layout of the proposed conversion and new garage building, and the resulting relationship with adjoining properties, would be sufficient to prevent any unacceptable harm to neighbouring amenity. It is noted that no neighbouring comments of concern or objection were received with one letter of support received.

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.

Biodiversity Net Gain

In accordance with the Biodiversity Gain Requirements (Exemptions) Regulations 2024, all householder applications are current exempt from the statutory requirement to demonstrate a 10% net gain in biodiversity.

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 and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

Reason: In the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The accommodation hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the dwelling Naldretts House, East Street, West Chiltington and shall not be used as a separate unit of accommodation or for commercial purposes.

Reason: The establishment of an additional independent unit of accommodation would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26, 32 and 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT
Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);

2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;

3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);

4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.

Statutory exemptions and transitional arrangements
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at https://www.gov.uk/guidance/biodiversity-net-gain.

Irreplaceable habitat
If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

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/25/0258
(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 plan		NONE	20.02.2025
Location & Block plan		D 0225/736/01	20.02.2025
Floor plan	Existing Ground Floor Plan & Driveway	D 0225/736/02	20.02.2025
Floor plan	Proposed Ground Floor Plan & Garage	D 0225/736/03	20.02.2025
Elevation plan	Existing NE & NW Elevations	D 0225/736/04	20.02.2025
Elevation plan	Proposed NE & NW Elevations	D 0225/736/05	20.02.2025
Elevation plan	Existing SE & SW Elevations	D 0225/736/06	20.02.2025
Elevation plan	Proposed SE & SW Elevations	D 0225/736/07	20.02.2025
Elevation plan	Proposed Elevations House Detailed Only	D 0225/736/08	20.02.2025
Elevation & Floor plan	Proposed Garage Floor Plans & Elevations	D 0225/736/09	20.02.2025

DELEGATED

Case Officer sign/initial Steve Astles Date: 10.04.2025

Authorising Officer sign/initial Guy Everest Date: 17.04.2025