Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/1929
Sandgate House, Water Lane, Storrington, West Sussex, RH20 3LY

DESCRIPTION:
Subdivision of a house to create two semi detached dwellings, including the formation of a porch and detached car port.

RELEVANT PLANNING HISTORY:

DC/21/0483	Erection of single-storey rear extension	Application Permitted on 01.06.2021
DC/13/0481	First floor rear dormer and alterations	Application Permitted on 14.05.2013
DC/12/2184	Erection of detached carport/garage/log store	Application Permitted on 21.01.2013
SG/35/94	Change of use of rooms to living accommodation, alterations to elevations and enclosure of covered way Site: Sandgate House Water Lane Storrington	Application Permitted on 21.12.1994
SG/31/86	Extension to form music room/study and projection room (From old Planning History)	Application Permitted on 10.11.1986
SG/5/82	Alterations and extension (From old Planning History)	Application Permitted on 16.03.1982

SITE AND SURROUNDS
The application site consists of a large two storey dwellinghouse with 7 bedrooms. The dwelling is set back within its plot to the east of Water lane. There is a detached garage in advance of the principle elevation to the northern part of the plot. The site boundary treatment is hedging with an access of timber fence and gate. The application site is outside of the built up area boundary and so is within the countryside in policy terms.

DETAILED DESCRIPTION
The application seeks permission for the subdivision of the dwelling to create two semi detached dwellings. This would incorporate the addition of porches and detached car port. The resultant two dwellings would comprise of a three bedroom and a four bedroom dwelling.

The alterations to the principle (west elevation) would be the addition of a porch to both of the dwellings and three windows at first floor level. The rear (east elevation) would also have three windows inserted at first floor level. The proposed three bay car port would be in advance of the principle elevation.

The materials of the house would remain part brickwork and horizontal weatherboard with the new porches in weatherboarding.

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 25 - Strategic Policy: The Natural Environment and Landscape Character.
Policy 26 - Strategic Policy: Countryside Protection.
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.

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.

Storrington, Sullington & Washington Neighbourhood Plan 2018-2031
Policy 8 Countryside protection
Policy 14 Design
Policy 18 Car parking

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:

Natural England: The proposed developments fall within the Sussex North water supply zone; As set out in Natural England's Advice Note regarding Water Neutrality within the Sussex North Water Supply Zone, the existing water supply in the Sussex North water supply zone cannot be ruled out as contributing to the declines in wildlife within internationally protected sites in the Arun Valley SPA, SAC and Ramsar site. Achieving water neutrality is recognised as a suitable method to rule out potential adverse effects on the integrity of these sites arising from development. Considering the supporting

information provided by the applicants and your authority's appropriate assessments our advice is as follows:

Concur with the conclusion of your authority's HRA appropriate assessment insofar that:

Further information is required to determine the significance of impacts on designated sites and the scope for mitigation, chiefly:

- Information pertaining to the existing occupancy rate of the dwelling, supported by evidence, or reliance on the standard occupancy rate of 3.09 persons.
- Confirmation of the proposed occupancy rates of the two dwellings.
- Provision of water use calculations for both the existing and proposed dwellings, supported by robust evidence (e.g. water bills, Part G calculator).

Provision of a mitigation strategy should the water use of the proposed dwellings exceed that of the existing.

WSCC Highways: Water Lane is a C classified road subject to 40mph speed restrictions, the LHA has consulted the most up to date WSCC Accident data which shows two incidents have occurred within proximity of the access point however these were not attributed to any highway defect or any concerns with the layout of the existing access point.

The proposal shows an open internal parking and turning area. This uses a shared turning circle with a three bay car port supplied for each dwelling. The parking allocation is considered sufficient to serve the likely demand for the properties and there appears room within the frontage to facilitate a turn on site manoeuvre and additional ad-hoc parking. The WSCC parking demand calculator outlines that 3 parking spaces would be sufficient to serve each of the dwellings of these sizes.

The access is to be served via a gate which is set back from the highway a sufficient distance to accommodate a vehicle awaiting the gate opening. This allows the free flow of traffic along Water Lane and removes a waiting vehicle in the highway. It is not anticipated that a single additional dwelling would give rise to a severe material number of movements to this location. Weight is given to the fact that this is an existing access arrangement and has functioned for some time with no known highways safety concerns.

The LPA may wish to ensure that the applicant supplies cycle parking, although this may not be a preferable mode of transport for all residents given the nature of the adjoining road. Cycle parking however encourages and provides a sustainable alternative to the use of a car for shorter journeys, for example into Storrington.

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 111), and there are no known transport grounds to resist the proposal. If the Local Planning Authority (LPA) is minded to approve this application the following conditions are advised.

Southern Water: Comment that the Environment Agency should be consulted directly regarding the use of a septic tank drainage which disposes of effluent to sub-soil irrigation. The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

Parish Comments:
While Members appreciated the creation of two houses that better reflect the local need, they question the statement that there will be no rise in water usage. Despite this, Members agreed no objection.

Representations:
None received

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:

The proposal involves the subdivision of an existing dwelling which has been extended previously and is set within a sizeable plot. The application site is within a rural countryside location and the HDPF is silent on the subdivision of existing dwellings in such locations. The NPPF at paragraph 84 does though support the development of isolated homes in the countryside unless it would involve the subdivision of an existing residential building.

The existing dwelling comprises a substantial 6 / 7-bedroom dwelling with the proposal seeking a conversion to 1x3-bed and 1x4-bed dwelling. It is considered that this subdivision would be supported by the thrust of paragraph 84, with the level of development such that it would not be expected to result in a significant increase in the level of activity in this countryside location. It is therefore considered that the principle of the development is acceptable subject to other material considerations.

Design and Appearance:

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

The overall character of the immediate locality is rural with low density residential development with either two storeys or bungalow with roof additions or catslide additions. The locality largely consists of large and semi-detached properties with those to the east of Water Lane mostly in closer proximity to the street than those on the western side of the road. There are few examples within the vicinity of garages in advance of principle elevations of dwellings to the eastern side of the road.

Few external alterations are proposed to the dwellinghouses, being two new porches in the same material as the existing and three new windows to the east elevation and three to the west elevation. The proposed detached garage would sit in advance of the principle elevation and would be subordinate in scale in comparison to both of the dwellings such that it would not appear to compete with the main residences. Overall, the external appearance of the development would be modest in scale such that it would not appear overly prominent from the streetscene and would not result in an incongruous character to the surrounding dwellings.

The visual impact of the proposal is therefore considered acceptable and would accord with the above policies.

Amenity Impacts:

Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.

The nearest neighbour, 'Bickleigh', to the south is set in close proximity to its northern boundary treatment such that development within the application site could give rise to loss of residential amenity through loss of light, obtrusive appearance and loss of privacy. The proposed garage would be located adjacent to the Bickleigh but would maintain a sufficient distance so as not to appear overly prominent. Additionally, given the modest scale of the proposals, it would not be considered that the proposal would have a detrimental impact on the neighbouring dwelling.

The relationship between the semi-detached properties would not result in intrusive or unusual levels of mutual overlooking, and the introduction of an additional dwelling would not be expected to result in significant potential for harmful levels of noise or disturbance.

The amenity impacts of the proposal are considered acceptable and in accordance with the above policy.

Highways Impacts:

Policies 40 and 41 of the HDPF state that development should provide safe and adequate access and parking, suitable for all users. The proposed dwellings would be served by the existing access point and would provide an additional detached three bay car port.

Having consulted WSCC Highways with regards to the proposals the two separate dwellings would have sufficient parking provision. One additional dwelling one site would not be considered to give rise to an intensification that would give rise to a severe material increase in the number of vehicle movements. As no objections are raised by WSCC Highways, it is considered that the proposals would be in accordance with policies 40 and 41 of the Horsham District Planning Framework (2015).

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 Water Neutrality statements rationalises that the proposal would give rise to no additional bedrooms within the site with the proposed two dwellings resulting in 7 bedrooms in total. They indicate that the development would not therefore result in any additional occupation and therefore there is no increase in water usage resulting from the proposed. Although revisions to the WNS were sought by the planning officer in relation to council guidance for demonstrating Water Neutrality, these amendments were not forthcoming.

The WNS would not be sufficient to demonstrate certainty of existing or proposed water usage. The WNS does not provide evidence for any existing figures for water usage through flow rates or a part G calculator. Furthermore, there is no list the fixtures or fittings of the proposed dwellings and the WNS assumes an occupancy rate inconsistent with the council's own guidance.

Without sufficient information to show otherwise, average occupancy figures would suggest a figure of 2.47 occupants for the three bedroom dwelling and 2.86 occupants for the 4 bedroom dwelling. There is no evidence to suggest this level of occupation is equal to that which would arise from the existing dwelling on the site, with the available evidence suggesting an intensification of usage on the site.

It is concluded that in the absence of a strategy to demonstrate water neutrality through the incorporation of on-site measures and/or appropriate offsetting actions capable of achieving water neutrality, there is no certainty that the proposal will not contribute further to the existing adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. In such circumstances the grant of permission would be contrary to policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Other matters:

The application site is within an amber zone for the Great Crested Newt however given the nature of the proposal which would not result in significant built form that could impact Great Crested Newts, it is not considered necessary in this instance to consult Naturespace.

Conclusions:

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

NPPF paragraph 11(d)(i) states that where there are no relevant development plan policies in place, the policies that are considered most important for the determination of applications (in this case, Policies 1, 2, 3, 4 and 26 of the HDPF, owing to the lack of a five-year housing land supply) permission should be granted unless there is a clear reason for refusing the development; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Footnote 7 under this paragraph refers to development relating to designated sites such as those listed under NPPF paragraph 181 (including Special Protection Areas (SPA), Special Areas of Conservation (SAC), and Ramsar sites).

In the absence of the applicant demonstrating water neutrality (as above), the proposal would result in an increase in water abstraction from the Pulborough borehole, in which its cumulative impact would adversely affect the integrity of the Arun Valley SAC, Arun Valley SPA, and Arun Valley Ramsar site. Therefore, the Local Planning Authority are of the view that in instances where Water Neutrality cannot be demonstrated, this represents a clear reason for refusal (as per NPPF paragraph 11(d)(i)). As such, this adverse impact on protected sites disengages the presumption in favour of sustainable development in the 'titled balance' to its default position.

Given the lack of information within the Water Neutrality Statement, it is not possible to determine what the likely water demand would be from the proposed development, and it would be unlikely that the site has demonstrated appropriate levels of mitigation and/or offsetting measures to address the demand and meet water neutrality. Insufficient information has been provided to undertake the Assessment and it is not therefore possible for Horsham District Council to concludes that, with mitigation, the project will not have an Adverse Effect on the Integrity of the Arun Valley SAC/ SPA /Ramsar site.

While the current housing shortfall is a material consideration of significant weight, the contribution that one market dwelling would bestow in terms of addressing the shortfall is limited. The material benefits are not therefore considered to outweigh the harm identified above, and the proposal is therefore recommended for refusal.

Recommendation: Application refused

Reasons 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 179 and 180 of the National Planning Policy Framework (2021), 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/23/1929

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Car port	ADC1538/09 A	31.10.2023
Supporting Statement	Planning	AC1538	31.10.2023
Supporting Statement	Water Neutrality	AC1538	31.10.2023
Location & Block plan		ADC 1538/LP	31.10.2023
Site plan	Existing	ADC1538/03	19.10.2023
Floor plan	Existing	ADC1538/02	19.10.2023
Site plan	Proposed	ADC1538/03 REV B	19.10.2023
Floor plan	Proposed	ADC1538/04 REV B	19.10.2023
Elevation plan	Existing West and South	ADC1538/05	19.10.2023
Elevation plan	Existing East and North	ADC1538/06	19.10.2023
Elevation plan	Proposed West and South	ADC1538/07	19.10.2023
Elevation plan	Proposed East and North	ADC1538/08	19.10.2023
Elevation plan	Proposed Car port	ADC1538/09	19.10.2023

DELEGATED

Case Officer sign/initial Hannah Darley Date: 26/03/2024

Authorising Officer sign/initial Guy Everest Date: 27.03.2024