Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/23/2239
103 Pondtail Road, Horsham, West Sussex, RH12 5HT

DESCRIPTION:

Conversion of existing garage into an annexe.

RELEVANT PLANNING HISTORY:

NH/98/93	Erection of a garage Site: 103 Pondtail Rd Horsham	Application Permitted on 06.10.1993.
HR/158/85	Erection of a replacement private double garage (From old Planning History)	Application Permitted on 21.08.1985.
HR/114/67	Double garage (From old Planning History)	Application Permitted on 23.08.1967.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
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

Neighbourhood Plan:
North Horsham Neighbourhood Plan area was designated, then the area voluntarily withdrew the designation.

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:

WSCC Lead Local Flood Authority: No Objection subject to conditions

The proposed development is a conversion of existing garage into an annexe, site area is less than 1 ha and there is change residential floor space. Consider it as a minor application and recognise that the site is at low risk of flooding from surface water and an assessment plus mitigation is required.

WSCC Highways: Comment

Pondtail Road is a C class road subject to 30mph speed restrictions. The existing access onto the publicly maintained highway has functioned for some time with no known highways safety or personal injury claims recorded to flag an existing concern with its operation.

The proposal seeks to change the use of the existing garage at 103 Pondtail Road, into an annexe. It is unclear from the plans provided whether this annexe building will be associated with the host dwelling

or a separate unit. The Local Highways Authority can advise that the WSCC Parking Demand Calculator outlines the addition of a single bedroom annexe would generate the requirement for 2 parking spaces. It is anticipated that this could be accommodated within the existing frontage of no.103 although landscaping has not been shown within the associated plans to confirm this.

The application form outlines that the existing parking provision is to remain unchanged, implying that this garage is not currently in use as a provision for the host dwelling. The garage in its current format is substandard in width when compared against WSCC standards for a garage which should be 6m for a double-parking provision.

Secure and covered cycle storage has not been provided for the annexe, the LPA may wish to consider if this is a reasonable request for the applicant to provide and if so a suitably worded condition is advised. Cycling is a viable alternative to the use of a car for future residents of the property, Littlehaven and Horsham railway stations are both a 9minute cycle from the site. Compas bus services do operate along Pondtail Road, and other regular services can be found in nearby N Heath Lane offering services to Horsham and Cuckfield.

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

Natural England: No Objection

Consider that without appropriate mitigation the application would have an adverse effect on the integrity of Arun Valley Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site.

In order to mitigation these adverse effects and make the development acceptable, the following mitigation measures are required/ or the following mitigation options should be secured: delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality.

Parish Comments:

No Objection to the annexe however NHPC would not want to see an additional private dwelling.

Representations:

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 has been assessed on the basis of the submitted details, together with the planning history of the site and adjoining properties, available images and photographs supplied by the agent. These details were considered sufficient to allow the application to be properly considered and determined.

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 site is a detached single storey dwelling located on the western side of Pondtail Road in a residential context within the built-up area of Horsham. The application seeks to convert the existing garage into an annexe, which would accommodate 1 occupant. There are no proposed extensions to the garage, with the only external changes being to the fenestration. The garage doors on the front elevation would be replaced with a new door and windows and a new door is proposed on the rear elevation. The proposal 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. 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 extension and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity. It is noted that no representations were received.

Impact on Highways

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

The application proposes to convert the garage into habitable space, this will result in the reduction of 2 parking spaces within the garage. The garage in its current format is substandard in width when compared against WSCC standards.

The application site benefits from a sizeable curtilage and driveway. There is considered to be adequate off-street parking accommodated within the site, to offset the loss of the 2 parking spaces within the garage. WSCC Highways advise that the WSCC Parking Demand Calculator outlines the addition of a single bedroom annexe would generate requirement for 2 parking spaces. The WSCC residential Parking Demand Calculator states that a minimum of 2 parking spaces would be required for the existing dwelling. It is considered that this, combined with the main dwellinghouse, may result in the need for 4 parking spaces. It is considered that this could be accommodate within the existing frontage of no.103. It is therefore considered that the loss of the garage for parking provision could be offset within the application site. The proposal would accord with the above policies.

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 applicant submitted a Water Neutrality Statement which outlined the proposed annexe would have an increased occupancy. The existing baseline water consumption of the application site is 351.62 l/d, which divided by the 3-person occupancy is 117.21 l/p/d.

The wholesome water consumption calculated for the development is 65.37 l/p/d where this is based off the installation of water efficient fixtures and fittings. Based on an average occupancy of 1.32 for a 1-bed dwelling, the proposal would result in a total water consumption of 86.2 l/d.

Through retrofitting within the existing dwellinghouse the proposed water demand would be reduced by 28.77 l/p/d. Based on the current occupancy, this would equate to 86.31 l/d. The proposal would therefore 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

The application site sits partially within Flood Zone 2, with the garage/annexe in particular at risk of flooding. The flood risk assessment provided indicates that floor levels will be set no lower than the existing, and flood proofing of the proposed development has been incorporated where necessary. From the plans provided, the proposed doors are set approximately 0.22m above the existing ground floor level.

It is noted the Lead Local Flood Authority have recommended conditions for surface water drainage. However, no alterations are proposed to existing hardsurfacing on the site, with only the change of use of the building and alterations to the elevations proposed. It is not therefore considered that the proposal would lead to greater risk of surface water flooding than the existing situation, and the conditions as proposed are not therefore considered to be reasonable or necessary.

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 **Pre-Occupation Condition**: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Neutrality Statement received 08.03.2024). 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 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 and species).

4 **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).

5 **Regulatory Condition**: The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 103 Pondtail Road as a dwelling and shall not be used as a separate unit of accommodation.

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

6 **Regulatory Condition**: The development hereby permitted shall be undertaken in strict accordance with the FloodSolution Consult Residential Report reference AEL-0206-FSCR-1013581 by argyll Environmental dated 08.11.2020.

Reason: To ensure a satisfactory development and to comply with Policy 38 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT
Any planning application that falls within Groundwater Source Protection Zone 1 will not be able to discharge surface water to soakaway features and consultation with the Environment Agency must take place to assess any risks to groundwater pollution.

In December 2022 it was announced FEH rainfall data has been updated to account for additional long term rainfall statistics and new data. As a consequence, the rainfall statistics used for surface water modelling and drainage design has changed. In some areas there is a reduction in comparison to FEH2013 and some places an increase (see FEH22 - User Guide (hydrosolutions.co.uk)). Applications should use the most up to date FEH2013 data. Other planning applications using FEH2013 rainfall, will be accepted if they are currently at an advanced stage. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded by FEH 2013 and 2022 and therefore, use in rainfall simulations are not accepted.

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/23/2239

(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	Garage Conversion	SK1 REV C	06.12.2023
Supporting Docs	FloodSolutions Consult Residential Report by argyll Environmental dated 08.11.2020	AEL-0206-FSCR-1013581	16.03.2024
Supporting Docs	Water Neutrality Statement by aegaea dated 06.03.2024	AEG04253_RH12_Horsham_WNS	08.03.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 25.04.2024

Authorising Officer sign/initial Tamara Dale Date: 25.04.2024