Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1313
St Rita Lodge, Nyetimber Copse, West Chiltington, West Sussex, RH20 2NE

DESCRIPTION:

Erection of a detached garage.

RELEVANT PLANNING HISTORY

None relevant

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 33- Development Principles
Policy 34- Cultural and Heritage Assets
Policy 41- Parking

West Chiltington Neighbourhood Plan:
Policy H2 – Quality of Design

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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.

HDC Arboricultural Officer: No Objection
No Arboricultural concerns are raised with the development proposal at the site.

Parish Comments:
Initial Response: Objection on the grounds that the plans submitted in the supporting documents are far too ambiguous on the positioning of the proposed garage within the site to allow council or other those residents neighbouring the site to fully understand the proposal. More detailed plans are needed from the applicant in order that proper consideration can be given to their scheme.

Subsequent Response: No Objection

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.

Draft Policy H2 of the West Chiltington Neighbourhood Plan states that proposals for extending or altering existing dwellings should be of a high quality design that reflects the local character and reinforces local distinctiveness.

St Rita Lodge is a detached dwelling in West Chiltington on Nyetimber Copse. The proposal seeks permission for the erection of a detached garage to the south of the dwelling. The site benefits from a large curtilage with trees along the boundary. It is noted that none of the trees onsite or on adjoining properties have a Tree Preservation Order. The site is located on the corner of the highway so there is one direct neighbour to the south and to the east.

The proposed materials are render and brickwork with a pitched roof. The materials are to match those of the main dwelling. There is a proposed new access from the garage to marry to the existing without any changes to the main highway. The proposal will also provide additional parking within the curtilage of the site.

It is noted that the Parish Council objected to the application as it "[felt] that the plans submitted in the supporting documents are far too ambiguous on the positioning of the proposed garage within the site to allow council or other those residents neighbouring the site to fully understand the proposal."

An amended plan was requested replacing those first submitted and re-consultations were sent to neighbours and the Parish. Amended plans show the location of the garage clearly and the Parish Council have since raised no objection.

The Arboricultural Officers comments are as follows:
From measurements taken on site, it is apparent that the proposed new garage, is located just outside of the Root Protection Area (RPA), of any trees of high landscape value at the site or those located off site and therefore meets with the requirements of the current industry standard BS 5837 Trees in relation to Design, Demolition and Construction Recommendations (2012). In terms of development falling within the RPA of a retained tree. As such, no Arboricultural concerns are raised with the development proposal at the site.

It is recognised that the proposed garage would be located forward of the principal elevation, where there are no other examples of similar development within the immediate surroundings or wider locality. Whilst this would form the first of it's kind within the street scene, the proposal would be of a design and form that would reflect the built characteristics of the host dwelling and would be subservient in scale. The proposal is therefore considered on balance to sit appropriately within the context of the site and the host dwelling, and would not result in sufficient harm to the character and visual amenities of the street scene to justify a reason for refusal.

The proposal would be a clearly subservient addition 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. 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 garage and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

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 186 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 application form and 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).

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/24/1313
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan	Location Plan	NONE	29.08.2024
Elevation & Floor plan	Proposed Elevations and Plan	2.02 REV A	29.08.2024
Location & Block plan	Site Location and Block Plans	1.01 REV B	08.10.2024
Site plan	Proposed Site Plan	2.01 REV B	29.08.2024
Plans	Topographical Survey	1.02	29.08.2024

DELEGATED

Case Officer sign/initial Meg Bayliss Date: 20/11/2024

Authorising Officer sign/initial RHERMITAGE Date: 20.11.2024