DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1813
40 Bank House, Flat B , High Street, Steyning, West Sussex, BN44 3YE

DESCRIPTION:
Removal of Condition 8 of previously approved application DC/21/1620 (Change of use of first floor from offices (Use Class E) to a residential use (Use Class C3) comprising of 1no apartment and 1no holiday let with associated internal and external alterations and additions (Full Application)) to remove the holiday-let condition.

RELEVANT PLANNING HISTORY:

DC/21/1620	Change of use of first floor from offices (Use Class E) to a residential use (Use Class C3) comprising of 1no apartment and 1no holiday let with associated internal and external alterations and additions (Full Application).	Application Permitted on 14.01.2022
DC/22/0966	Non Material Amendment to previously approved application DC/21/1620 (Change of use of first floor from offices (Use Class E) to a residential use (Use Class C3) comprising of 1no apartment and 1no holiday let with associated internal and external alterations and additions (Full Application)) to allow for relocation of rooflight to Holiday let, installation of an additional rooflight and minor alterations to layout plan.	Application Permitted on 01.09.2022

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 3 - Strategic Policy: Development Hierarchy
Policy 11 - Tourism and Cultural Facilities
Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
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

Steyning Neighbourhood Development Plan (SNDP) 2019 - 2031:
SNDP3 – Contribution to Character

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: No Objection.

HDC – Environmental Health: It is unclear from the plans submitted what is the current layout of the apartment and holiday let, and what, if any proposed works are. The key on the plan indicates several revisions but this has not been clearly indicated on the plan what works these relate. Written clarification is required to confirm if all works completed comply to the Building Regulations. A floor plan showing the actual current layout of both dwellings must be submitted to enable comments to be made.

HDC - Economic Development: Objection: -

As detailed in the Horsham District Hotel & Visitor Accommodation Study, there is a need for the District to develop additional tourist and visitor accommodation both in the rural and urban areas of the District. With large parts of the Downs located within the District, we are well placed to take advantage and to capitalise on current trends of short breaks, weekend breaks and the overseas visitor trade. This proposal would reduce our offer, as it would remove short stay and weekend break accommodation".

"Priority 5 of the Economic Strategy details the importance of promoting and celebrating the distinctiveness of the area and states that we should build on the strengths to secure a vibrant visitor economy".

HDC – Drainage: More information is required due to the absence of an acceptable foul water drainage strategy and flood risk assessment.

WSCC Highways: 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 116), and that there are no transport grounds to resist the proposal.

Southern Water: No Objection.

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.

Steyning Parish Council Comments:
No objection on the basis it is compliant with HDC Local Plan parking requirements.

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

Planning permission ref: DC/21/1620 entailed a '*change of use of first floor from offices (Use Class E) to a residential use (Use Class C3) comprising of 1no apartment and 1no holiday let with associated internal and external alterations and additions*'. Condition 8 of this decision states:

8 ***Regulatory Condition****: The holiday-let accommodation hereby permitted shall only be occupied/operated as holiday accommodation and shall not be occupied by an individual, family or group for more than 4 consecutive weeks in any 8 week period commencing with the first day of letting or by an individual, family or group for more than 4 weeks in any 26 week period commencing with the date of the first letting to their individual family or group.*

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, 28 and 33 of the Horsham District Planning Framework (2015).

This current application entails the removal of this condition, which would allow occupation of the one-bedroom holiday-let for unrestricted residential purposes.

Principle of Development:

Policy 7 of the HDPF relates to economic growth, stating that sustainable employment development will be supported by promoting the district as an attractive place to stay and visit to encourage tourism and value of tourism economy. This is reflected by Policy 11 in the HDPF, which seeks to promote tourism, stating that any development should be of a scale and type appropriate to the location and should increase the range, or improve the quality of accommodation, attraction or experiences for tourists, day visitors, business visitors, and residents in the District. In addition, Policy 12 of the HDPF supports the vitality and diversity of existing retail centres, promoting development that encourages suitable activities and uses within them.

The site lies within the built-up area of Steyning, which is categorised as a "Small Town and Larger Village" within the settlement hierarchy. These are settlements with a good range of services and facilities, with reasonable rail and bus services. In addition, Steyning village centre is categorised as a "Secondary Centre" under Policy 12 of the HDPF, where activities and a diversity of uses are encouraged and promoted.

The removal of the above condition would allow unrestricted occupation of the existing self-contained residential unit; no other changes are proposed.

The submission suggests that '*the local demand for holiday lets seems to have declined*', and that '*maintaining the property as a holiday let has proven unsustainable, and its conversion to residential use represents a more viable and beneficial use of the site*'. There is though no further information, such as confirmation of bookings / vacancy rates or market trends, which would lend further support to this position. It is therefore a concern that the removal of the condition, and the loss of a short-term holiday-let, is based on unsubstantiated assertions.

It is though noted that Policy 11 does not require such a use to not be viable, and while this requirement would be imposed by emerging Local Plan (and Policy 34) this is not currently of such weight as to be determinative in this case. The nature and location of the tourist accommodation, within the upper floors of an otherwise unrestricted residential building, could also not be directly evidenced as significantly harming the provision of such accommodation in the locality. It is considered that on this basis the unrestricted occupation of the dwelling would be acceptable in principle.

Amenity (Future Occupants):

The existing unit of accommodation benefits from approximately 21 sq metres of floorspace, with the actual usable space appreciably less than this due to the need for circulation space and for the storage of furniture and personal possessions. The Department for Communities and Local Government's 'Technical Housing Standards - Nationally Described Space Standards' recommends that a single story, 1 bed, 1 person dwelling should be 37m^2. The existing property falls significantly below this standard.

It is acknowledged that the accommodation already exists as a self-contained property. There is though considered to be a material difference between short-term occupation (in a manner not akin to a primary address) and longer-term permanent occupation. The expectations and required standard of accommodation would similarly be different. It is considered that as a primary residence with occupation for periods of time which would go beyond 'short-term', the removal of condition 8 would result in a market dwelling with a cramped layout, and one which would provide a standard of accommodation which would fail to meet the needs of future occupants and which would be below the standard that the Council would reasonably expect.

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.

As part of the original planning permission for the development, including the holiday-let, it was considered that: -

"*The Applicant has submitted a Water Neutrality Statement which outlines that the total water consumption of the existing office unit is 73.56 l/p/d. The Statement outlines that the existing office building could accommodate up to 15 employees, with the total water consumption being 670.9 l/p/d. The Statement continues that the proposed commercial unit on the ground floor would have a total water consumption of 52.1 l/p/d, with a total water consumption of 215.7l/p/d (based on a maximum of 6 people employed). The 2no. residential units proposed would generate a total consumption of 85l/p/d, with a total water consumption of 244.8l/p/d when water efficient measures are fitted. Without these water efficient measures, the total water consumption would however still be below the existing office use*".

The holiday-let was therefore assessed, for the purposes of water neutrality, as being a 1-bedroom unit with no allowances made for a lesser occupancy level (due to gaps in bookings etc.). The removal of the condition would not therefore result in a more intensive occupation, 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.

Other Considerations:

- The application does not entail any external alterations, and there would be no adverse effects on the Listed Building or the setting of surrounding heritage assets.

- The removal of the condition and the resulting occupation of the existing accommodation would not be expected to result in significant potential for harmful levels of noise or disturbance, and no unacceptable impacts on neighbouring amenity would result.

- The site is within a built-up area where the access to day-to-day services and public transport modes, and the demand for street parking, would be the same, whether for holiday makers or permanent residents. It is not considered that the proposal would have an unacceptable impact on highway safety, nor result in 'severe' cumulative impacts on the operation of the highway network.

Conclusion

The proposal is not considered to comply with relevant local and national planning policies and is therefore recommended for refusal.

Recommendation: Application Refused

Reason(s) for Refusal:

1. The removal of condition 8 of DC/21/1620 would create an unrestricted dwellinghouse which, by reason of its size and internal layout, would provide cramped living conditions which would fail to meet the likely needs of future occupants and which would be below the standard that the Council would reasonably expect. The proposal would therefore provide an inadequate standard of accommodation and would be contrary to Policy 33 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework.

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/24/1813
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

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

Plan Type	Description	Drawing Number	Received Date
Floor plan	Proposed First	A111 REV F	14.01.2025
Supporting Docs	Planning Statement	NONE	02.12.2024

DELEGATED

Case Officer sign/initial JBurrowes Date: 21/01/2025

Authorising Officer sign/initial Guy Everest Date: 27.01.2025