Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1106
1 Downs View Terrace, Staples Barn Lane, Henfield, West Sussex, BN5 9QD

DESCRIPTION:
Variation of condition 1 of previously approved application reference DC/24/1738 (Variation of condition 1 and 10 of previously approved application reference DC/23/1937 (Demolition of garage and outbuildings and construction of a one bedroom single storey dwellinghouse) to amend the plans and materials to comply with the passive house standards) to amend the approved plans to move parking space.

RELEVANT PLANNING HISTORY:

DISC/24/0277	Application for Approval of Details Reserved by Condition 3 and 4 to approved application DC/23/1937	Split Decision on 28.01.2025
DC/24/1738	Variation of condition 1 and 10 of previously approved application reference DC/23/1937 (Demolition of garage and outbuildings and construction of a one bedroom single storey dwellinghouse) to amend the plans and materials to comply with the passive house standards.	Application Permitted on 08.01.2025
DC/23/1937	Demolition of garage and outbuildings and construction of a one bedroom single storey dwellinghouse.	Application Permitted on 16.04.2024

DESCRIPTION OF THE SITE

The application site is located within the built-up area of Henfield on Staples Barn Lane. 1 Downs View Terrace benefits from a sizeable curtilage, with a garage, outbuilding and shed towards the rear. The site is on the Western side of Henfield. The dwelling is accessible through an access track to the south of the curtilage, which leads to a public footpath that provides access to the local school and allows access to the rear of the dwellings along Upper Station Road.

DESCRIPTION OF THE APPLICATION

The application seeks permission for the variation of condition 1 of previously approved application reference DC/24/1738 to amend the approved plans to reposition the approved parking space.

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 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 40 - Sustainable Transport
Policy 41 - Parking

Henfield Neighbourhood Plan (2017-2031):
Policy 12- Design Standards for New Development

Henfield Parish Design Statement (2008)

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:

WSCC Rights of Way: No Objection

WSCC Highways: Advice

PUBLIC CONSULTATIONS:

Representations:
Letters of concern were received from 4 addresses, 7 letters in total, as 3 representations were received from one of the addresses. Objection about the application is summarised on the following grounds:

- Highway Access and Parking;
- Boundary line adjustment.

Parish Comments:
Henfield Parish Council: No Objection

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

The application seeks amendment to the existing planning permission (ref: DC/24/1738) through a variation of the approved plans list (Condition 1), to amend the approved plans to reposition the approved parking space.

The proposal is to relocate a previously approved parking space to the southwest corner of the new property and vehicular access along the private road that carries public footpath 3702. WSCC Public Rights of Way department have been consulted and raise no objection to these proposals due to the Footpath already experiencing vehicular access, however the applicant is advised to consider visibility for vehicular users and lawful footpath users to avoid any potential conflict when access and leaving the private access. WSCC PRoW also comment that whilst there is currently vehicular access along the public footpath it should be clear to the applicant that without a legal private right of vehicular access driving along this public footpath with a motorised vehicle would be a criminal offence. Further to this it is also important to note that any damage done to the surface of the Footpath by those exercising a private right of vehicular access is the responsibility of those causing this damage.

West Sussex County Council was consulted previously on Highway Matters for this location to which no objections were raised subject to conditions. The proposal was subsequently approved by the Local Planning Authority. The applicant now seeks to vary condition 1 of this previous approval which alters the approved site plan. The red edge of the property boundary has now been amended and results in the loss of space at the south eastern property boundary. This previously was the location for the permitted parking space associated with the new dwelling.

The applicant proposes now an alternate parking space positioned within the revised red edge boundary, positioned parallel to the northern boundary of the access route. From scaling off the plans provided there appears sufficient space to accommodate a vehicle at the revised location. The revised parking space does result in the reduced ability for a straightforward turn on site which previously was obtainable due to the approved parking space as perpendicular to the access route. It appears that a turn manoeuvre may be possible however through multiple back and fore movements. The ability to turn at this point allows a car to egress the lane at the junction with the main carriageway, in a forward gear. Manual for Streets section 8.3.53 advises that in some low speed and low traffic locations, this practise may be acceptable.

The Local Highways Authority does acknowledge however, providing that the frontage is kept clear as shown, the parallel parking bay now proposed does facilitate improved visibility along the length of the PROW whilst a manoeuvre is being completed. A single dwelling of this size would not be anticipated to generate a large frequency of vehicle movements. Furthermore, due to the low speeds and low frequency of overall vehicular movements at this location, a multiple manoeuvre can be undertaken to turn and exit onto the main carriageway in a forward gear.

The Local Highway Authority does not consider that the 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. The conditions previously advised alongside this application regarding, parking, cycle parking and construction plant and materials should remain alongside this variation.

The proposed amended parking space involves a loss of hedge planting along the boundary of the site which would result in facilitating the replacement parking space at this position. A loss of vegetation is regrettable however the impact is not considered significant to warrant refusal. In any case, a large portion of the existing planting would be retained towards the junction to Staples Barn Road, which would retain the character of the site in this setting.

It is noted that representation comments of objection have been made referring to the slight alteration of red line boundary. The Applicant has responded referring to this adjustment because the land registry of the site did not align with the surveyed site and the parking space adjustment is to avoid the site crossing land not owned and the proposal is to ensure that the parking space is shown on land

belonging to the site. The slightly adjusted red line is considered acceptable, no objections are raised from WSCC PRoW, WSCC Highways or the Parish Council, and conditions are maintained as below.

Recommendation: Application Permitted

Conditions:

2 **Regulatory (Time) Condition**: The development hereby permitted must be commenced by the 16th April 2027.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-Commencement (Slab Level) Condition**: No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater harvesting system required by the approved water neutrality statement (C2932 P4 received 23.02.2024 - attached to DC/23/1937) have been submitted to and approved in writing by the Local Planning Authority.

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 193 and 194 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority to discharge 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 **Pre-Occupation Condition**: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (C2932 P4 received 23.02.2024 attached to DC/23/1937). 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 193 and 194 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

5 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the car parking spaces necessary to serve it have been constructed and made available for use in accordance with the approved plans. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

6 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with

Policy 40 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the district and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

9 **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).

10 **Regulatory Condition**: No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank, or public Holidays.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015)

11 **Regulatory Condition**: The site set up during construction phase plan (ref. CPP-DFT-DVT-001 by Green Coe Ltd dated 16.10.2024) as approved under DISC/24/0277 shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access and in accordance with Policies 33, 40 and 41 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/25/1106

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Planning	NONE	08.07.2025
Layout plan	Proposed Site	CH1264/006 REV C	04.07.2025
Roof plan	Proposed	CH1264/007 REV E	04.07.2025

DELEGATED

Case Officer sign/initial	Steve Astles	Date:	01.09.2025
Authorising Officer sign/initial	RHERMITAGE	Date:	01.09.2025