DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/0888
Windrush , Harborough Hill, West Chiltington, West Sussex, RH20 2PW

DESCRIPTION:

Variation of Condition 1 and 3 of previously approved application DC/22/0952 (Erection of greenhouse and garden wall) variation sought to allow for a change in the length of the wall and a change of materials for the construction of the wall.

RELEVANT PLANNING HISTORY:

DC/22/0952	Erection of greenhouse and garden wall.	Application Permitted on 18.08.2022
DC/23/2081	Removal of Condition 3 of previously approved application DC/22/0952 (Erection of greenhouse and garden wall) Relating to materials.	Withdrawn Application on 11.06.2024

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

Neighbourhood Plan:
The West Chiltington Neighbourhood Plan is in progress.
West Chiltington Parish submitted their Submission draft plan to Horsham District Council on 19 November 2018. In accordance with legislation, the Council is in the process of considering whether the plan meets the Basic Conditions and can progress to Regulation 16 consultation and formal examination.

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.

Parish Comments: No Objection

The Parish Council withdraws its previously submitted Holding Comment and offers no objection to this application.

It does however request that any permission granted has a condition attached to it that the applicant should maximise water collection from the greenhouse structure through the installation of gutters, downpipes etc for use in the irrigation of the plants housed within and to minimise the requirement for additional mains water use.

Despite being screened out for Water Neutrality purposes, the Parish Council feels that this measure would accord with District and Neighbourhood Plan policies around environmental protection.

Representations:

None Received.

EQUALITY AND HUMAN RIGHTS:

Under the Equality Act 2010, the Council has a legal duty to pay 'due regard' to the need to eliminate discrimination and promote equality, fostering good relations in respect of Race, Disability, Gender including gender reassignment, Age, Sexual Orientation, Pregnancy and maternity, Religion or belief. The Equality Act 2010 will form part of the planning assessment below.

Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application.

Consideration of Human Rights and Equalities forms part of the planning assessment below.

PLANNING ASSESSMENT

The application has been assessed on the basis of submitted details and officer site visit; these details were considered sufficient to allow the application to be properly assessed.

Policy Background:

Policy 32 and 33 of the HDPF seeks to ensure that the development in the district promotes high standard/high quality design in order to enhance and protect locally distinctive characters such as landscaping (both within a scheme and having regard to the impact on surrounding landscapes) and considerations on the local, social, and environmental characteristics. It also seeks to ensure that the scale, massing and appearance of the development and layout (where relevant) 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.

Character and Visual Amenity:

The property is a detached two-storey dwelling, located on a generous plot with a large rear garden. The main dwelling is set back from the highway and the prevailing building line of properties in this section of Harborough Hill. The frontage of the site is equally generous and well screened by mature and dense trees, and this is also true of the side boundaries.

This planning application is a variation of condition application for the approved planning permission Ref: DC/22/0952 '*Erection of greenhouse and garden wall*'. The previous permission was implemented; however, it was not built according to the approved plans. This planning application seeks to regularise

and vary the plans condition. The garden wall has increased in length and the approved material (brick render) has been changed to breeze block to the rear with brick to the front.

The proposed greenhouse measures some 8.98m in width by 3.88m in depth and would have a lean to roof design supported on a wall with a maximum height of some 3.17m and the wall at 3.67m in height and 15m in length. Given the context of its siting and the nature of the surrounding area, the structure is considered to be of a scale and design that is sympathetic and in keeping with the host property and immediate surrounds. In this context, given the location of the greenhouse and wall at the far end of the host site, it is considered that the development would not have any adverse impact on the character or appearance of the site or the wider surrounding area.

Overall, the changes to the materials and the length of the wall is considered scaled when viewed against the current backdrop and surroundings. The wall and materials are considered acceptable when viewed against the main listed property and given the generously sized plot in which the host property sits. The external materials, given the nature of the building results in a lightweight appearance which is appropriate in this setting. The greenhouse is not clearly visible from a public vantage point and as such does not have a detrimental impact on the host listed property or the wider area, in accordance with Policy 32 and 33 of the HDPF

The visual impact of the greenhouse and wall is therefore considered acceptable and in accordance 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.

The greenhouse and wall's retained separation from shared boundaries is considered sufficient to ensure no unacceptable harm to neighbouring amenity would result. The site benefits from large curtilage and this arrangement are considered sufficient to ensure construction activities need not impact on adjoining land, and no further details in this regard are considered necessary.

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 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain (BNG):

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires that development must achieve at least 10% BNG on all habitats within the development site.

Biodiversity Net Gain does not apply to section 73 applications where the original permission which section 73 relates to was either granted before 12 February 2024 or the application for the original permission was made before 12 February 2024.

The original permission was submitted on 19.05.2022 and permitted on 18.08.2022. The requirements of BNG does not therefore apply.

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 **Regulatory Condition:** The greenhouse building hereby permitted shall be used solely for purposes incidental, as a residential greenhouse, to the occupation and enjoyment of the residential property at Windrush, Harborough Hill, West Chiltington (as identified on the approved plans), and shall not be used as a separate unit of accommodation, as habitable living accommodation, or for any other purpose(s) / use(s).

Reason: The establishment of an additional independent unit of accommodation, additional living accommodation, commercial use or any other use(s) would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 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/24/0888
(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
Site plan	Proposed Site Plan	112/2022/2	12.06.2024
Elevation plan	Proposed Ground Plan	VPF6001/T Rev B	03.07.2024
Location & Block plan	Site & Location Plan	112/2022/1	19.05.2022

DELEGATED

Case Officer sign/initial Shazia Penne Date: 27.08.2024

Authorising Officer sign/initial Tamara Dale Date: 28.08.2024