DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1706
1 Oakfield Road, Cowfold, West Sussex, RH13 8AB

DESCRIPTION:
Creation of dropped kerb and driveway to front.

RELEVANT PLANNING HISTORY:
None relevant to this application.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 41 - Parking

Neighbourhood Plan
There is no Made Neighbourhood Plan for Cowfold Parish Council.

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 9: Water Neutrality
Policy 19: Development Quality
Policy 20: Development Principles
Policy 25: Parking

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:
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.

WSCC - Highway Department

To summarise, whilst from a planning perspective no objections would be raised at this stage, the proposed access works are not supported by the WSCC Highway Area Office, therefore would be unlikely to be granted a licence for the access works and such, would not be implementable.

Parish Comments:
Cowfold Parish Council reflects the concerns raised by WSCC in respect of this planning application and the proximity of the proposed vehicular access/egress route in relation to the narrow pedestrian island situated on the A272 Bolney Road.

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

Policies 32 and 33 of the HDPF seek 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 proposal seeks planning permission for the creation of a dropped kerb and driveway to front. It should be noted that similar dropped kerbs and driveways were approved and installed to neighbouring properties at 3 and 5 Oakfield Road (ref: DC/21/1445 and DC/20/1512 respectively). The proposal at no. 1 would be seen in this immediate context and would follow a similar design approach. It is therefore considered that the proposal would not result in any adverse visual impacts, 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 presence of a dropped kerb and hardstanding for use in connection with the existing dwelling would not be expected to result in significant potential for harmful levels of noise or disturbance, such that no unacceptable harm would result.

Highways

Policy 40 of the HDPF requires vehicular accesses to be safe and suitable, with Policy 41 of the HDPF relating to adequate parking and facilities provided within developments to meet the needs of anticipated users.

The Local Highway Authority (LHA) has commented on the application, advising that suitable visibility is available in both directions, with suitable size to accommodate one parked vehicle in the front curtilage. There are no reasons to take a different view, with the impact of the proposal on the highway network, including highway safety, considered acceptable. The proposal is considered to accord with the above policies.

It is noted that the LHA has noted that a licence would be required to construct the dropped kerb, and that due to the proximity of the access to an existing pedestrian island crossing it is possible that any such licence application would be refused. This would not though be a reason to refuse planning permission, with a note to applicant instead recommended to advise the applicant of the need to undertake the vehicle crossover licence application process.

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

In accordance with the Biodiversity Gain Requirements (Exemptions) Regulations 2024, all householder applications are current exempt from the statutory requirement to demonstrate a 10% net gain in biodiversity.

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 hard surface hereby approved shall be made of porous materials or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The hard surface shall be retained as such thereafter.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Policy 38 of the Horsham District Planning Framework (2015).

4 **Pre-Use Condition**: The use of the parking area hereby permitted shall not take place until such time as the hereby permitted vehicular access has been constructed.

Reason: In the interests of road safety in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

Additional information about the licence application process can be found through:

http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehiclecrossoversfor-driveways-licence/

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/24/1706
(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		NONE	11.11.2024
Block plan		NONE	11.11.2024
Location plan		NONE	11.11.2024

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 17.12.2024

Authorising Officer sign/initial Guy Everest Date: 27.12.2024