Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1189
The Dairy Barn , Bognor Road, Broadbridge Heath, West Sussex, RH12 3PS

DESCRIPTION:

Non Material Amendment to previously approved application DC/22/1679 (Conversion of existing garage into an annexe, with installation of a new roof dormer and alterations to window and door openings) Amendments to water neutrality.

RELEVANT PLANNING HISTORY:

DC/22/1679	Conversion of existing garage into an annexe, with installation of a new roof dormer and alterations to window and door openings.	Permitted on 30.05.2023

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 26- Strategic Policy: Countryside Protection
Policy 28- Replacement Dwellings and House Extensions in the Countryside
Policy 31- Green Infrastructure and Biodiversity
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

Warnham Neighbourhood Plan:
W5: Design of residential development

Warnham Parish Design Statement

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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:

None received

Parish Comments:

None received

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 main consideration of this application is whether the proposed alterations can be considered as non-material amendments to the approved scheme in accordance with Section 96A of the Town and Country Planning Act 1990 (as inserted by S190 of the Planning Act 2008). The discretion rests with the Council to decide to whether the revisions would constitute a non-material amendment to a planning permission, which would not take it outside the scope of the original permission.

A non-material amendment is sought to vary the Water Neutrality Statement (WNS) and the water strategy approved under DC/22/1679.

The application site falls within the Sussex North Water Supply Zone as defined by Natural England and which includes supplies from groundwater abstraction which cannot, with certainty, demonstrate no adverse impacts upon the defined 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.

The submitted Water Neutrality Statement (WNS) does not appear to have been updated. The application form includes a statement and confirms the below changes:

- Dishwasher and washing machine are not proposed to be installed in the proposed annexe.
- The previously proposed rainwater harvesting system is not be installed.
- The water use of the site with these removed would be 74.79 l/p/d.

The proposal also indicates that the occupation level of the existing property has reduced, this would impact the existing baseline.

The above changes would significantly alter the Water Neutrality Statement and the water strategy as a whole. No updated Water Neutrality Statement has been provided to demonstrate the impact the proposed amendments would have, and it is unclear whether the amended strategy would alter the water demand to be offset and the offset demand achievable. Notwithstanding this, it is likely that the proposed

amendments would result in a proposal which would not be water neutral, where the calculations would fail to take account of required demand measures within the Part G Building Regulations Calculator (which includes demands for clothes and dish washing).

Given the above, the proposal would not be deemed non-material, where the amendments to the strategy have not been sufficiently evidenced and would likely amount to a material change to the water strategy.

Recommendation: Application Refused

Reason(s) for Refusal:

1. The proposed alterations to the previously approved development represent a level of change greater than can be considered as a non-material amendment under Section 96A of the Town and County Planning Act 1990.

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/24/1189

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

Plan Type	Description	Drawing Number	Received Date
Section plan	Proposed Sections	102	07.08.2024
Floor plan	Proposed Floor Plans	100	07.08.2024
Supporting Statement	Water Neutrality Statement by aegaea	AEG0829_RH12_ Horsham_08	07.08.2024
Supporting Docs		Application Form	

DELEGATED

Case Officer sign/initial Alice Johnson Date: 17.09.2024

Authorising Officer sign/initial Tamara Dale Date: 17.09.2024