Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1885
36 Chessall Avenue, Southwater, West Sussex, RH13 9FB

DESCRIPTION:
Conversion of garage into habitable living space.

RELEVANT PLANNING HISTORY:

None.

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
Policy 41 - Parking
SNP14 – Adequate Provision of Car Parking
SNP16 – Design

Southwater Parish Design Statement 2011

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 19: Development Quality
Policy 20: Development Principles

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 Highways: Comments
The proposed is accessed from Chesall Avenue, which at the point of access to the site is currently not maintained by WSCC. Consequently, these comments are for your advice only.

The existing garage measures 3m x 6m which is sufficient in size to accommodate an average sized vehicle. Although the applicant states that this is not currently in use for parking, this proposal will see a reduction in overall potential parking provision. The property is served with a driveway sufficient for a single vehicle, this is to remain to serve the dwelling. The dwelling accommodates 3 bedrooms, therefore from consulting the WSCC Parking Demand Calculator for this location, the parking demand for this property would be for 3 parking spaces. Any overspill parking would therefore likely occur within Chessall Avenue as is anticipated to be the current arrangement, within the designated bays.

The nearest available publicly maintained highway is Worthing Road, it is not anticipated that overspill parking would be to such extent that it would impact upon this portion of the publicly maintained highway.

The additional habitable space provided by the proposed conversion would not be anticipated to give rise to a change in vehicular movements over that already generated by the dwelling.

The LHA does not consider that the proposal would have a 'severe' impact on the operation of the highway network. Therefore is not contrary to the National Planning Policy Framework (para 116), and there are no known transport grounds to resist the proposal.

Parish Comments:
No objection.

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.

SNP14 of the SNP states that "*where a proposed development would result in the loss of a garage, the application will be refused unless the applicant can provide an alternative parking space elsewhere within the curtilage of the dwelling."*

SNP16 – Design: "*All development must be of high-quality design. In Southwater this means:*

a. Facing buildings with locally sourced materials, or materials equivalent to those that would historically have been sourced locally wherever possible."

36 Chessall Avenue, Southwater is a semi-detached dwelling in the built up boundary of Southwater. It is currently a 3-bedroom property. Permission is sought for the conversion of garage into habitable living space. The space is proposed to be used as a study and a playroom. A window will be installed to the front and a door on the back elevation.

The proposal would be a subservient addition, considered to match the design and form of the existing garage and uses materials that would match the existing dwellinghouse. The design, form and scale, is considered appropriate to the character and appearance of the existing dwelling and is not considered to harm the character or appearance of the wider area. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above polices.

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 change of the front elevation is not expected to cause any adverse changes to the public realms or impact upon the neighbouring amenity.

It is considered that the siting and layout of the proposed extension and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Impact on Parking Provision

Policy 41 of the HDPF states that adequate parking and facilities must be provided within developments to meet the needs of anticipated users. Development which involves the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere or the need for the development overrides the loss of parking and where necessary measures are in place to mitigate against the impact.

SNP14 of the Southwater Neighbourhood Plan 2019 – 2031 states the adequate provision of car parking:

SNP14.1. Residential development must include provision for adequate off-road parking spaces in accordance with the following criteria:

a) Apart from one-bedroom flats which shall have one allocated parking space, every dwelling will provide, for use associated with that dwelling, 2 parking spaces and one additional parking space for each additional bedroom over a total of three, with an upstairs study counting as a bedroom within its curtilage (or within the development).

b) The proposed solution should avoid car parking dominating the street-scene. Therefore, parking should be to the side rather than in front the property.

SNP14.2. Where a proposed development would result in the loss of a garage, the application will be refused unless the applicant can provide an alternative parking space elsewhere within the curtilage of the dwelling.

The dwelling is a semi-detached with 3 bedrooms. The existing parking arrangement comprises one parking space contained within the existing garage, and one parking spaces in front of the garage, on a driveway. The site is located on Chessall Avenue, an unclassified road that is not subject of parking restrictions (double yellow and/or resident parking permits).

Southwater falls into Parking Behaviour Zone 2 of the WSCC Parking Demand Calculator. The West Sussex County Council Guidance on Parking at New Developments (September 2020) states that expected levels of parking demand in residential development should be determined, where appropriate, taking account of location (parking behaviour zone), dwelling size (rooms), parking provision (allocated or unallocated), and arrangements for control/enforcement (charges, etc.). Calculation of expected levels of parking demand should normally be based on local or comparable data taking account of forecast changes in demand for the local plan period.

Table 2 within the West Sussex County Council Guidance on Parking at New Developments (September 2020) indicates that a 3-bed dwelling within Parking Behaviour Zone 2 would be anticipated to provide 2.1 off-road parking spaces.

The subject dwelling currently provides 1 garage space and 1 parking spaces in front of the garage. The loss of the garage space would result in only 1 off-street parking space being provided, which would be an undersupply of 1no off-street parking spaces. The reduction of 1 parking spaces would exacerbate the existing parking pressures within the locality.

Whilst it is recognised that parking within the locality includes parking on the street, where such parking is restricted, the undersupply of off-street parking spaces at the application site is considered to put additional demand within the immediate locality. It is considered that the site was planned to provide adequate parking for the development in the interests of highway safety, where an increase in on-street parking has the potential to adversely impact highway safety.

A recent appeal has been determined by the Planning Inspectorate within the last year that support the Council's case on the parking matters as highlighted above, which was located within a new build estate: DC/23/0652 40 Carter Drive (APP/Z3825/D/23/3325522). In the case of this appeal, similarly, the appellant proposed to part convert the garage into a home office, thus result in the loss of one off street car parking space. At paragraph 11 of their report, the Inspector noted physical constraints on the street for on-street parking, owing to narrow highway and footpaths, and that the increase in onstreet parking would 'result in disrupting the free flow of vehicles'.

On the basis of the above, it is considered that the loss of 1 off-street parking spaces, which would subsequently fail to address the anticipated needs of the 3-bed dwelling, would detrimentally affect the interests of highway safety. The proposal would therefore be contrary to policy 41 of the HDPF.

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

Recommendation: Application Refused

Reason for Refusal:

1 The proposed development would result in the loss of a garage and would thus provide an inadequate level of off-street parking provision, which would result in on-street parking overspill and adversely impact highway safety. It has not been demonstrated that the suitable alternative provision could be secured or that the need for the development overrides the loss of parking. The proposal would therefore be contrary to Policy 41 of the Horsham District Planning Framework (2015) and Policy SNP14 of the Southwater Neighbourhood Plan (2020).

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/24/1885
Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Floor plan	Existing First	002	05.12.2024
Elevation plan	Existing and Proposed	004	05.12.2024
Location plan		006	05.12.2024
Block plan	Existing and Proposed	005	05.12.2024
Floor plan	Existing Ground	001	05.12.2024
Floor plan	Proposed Ground	003	05.12.2024

DELEGATED

Case Officer sign/initial Meg Bayliss Date: 05/02/2025

Authorising Officer sign/initial RHERMITAGE Date: 07.02.2025