Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1008
Coombe Cottage, Church Road, Mannings Heath, West Sussex, RH13 6JE

DESCRIPTION:

Removal of Condition 2 of previously approved application DC/20/1851 (Demolition of existing timber garage and shed. Erection of No.2 double storey dwellings with associated parking and landscaping) Minor material amendments to the approved plans and design.

RELEVANT PLANNING HISTORY:

DC/23/1442	Demolition of existing timber garage and shed. Erection of 1no two storey 4-bedroom dwellinghouse with associated parking and landscaping	Application Permitted on 28.06.2024.
DISC/23/0083	Approval of details reserved by conditions 6, 8, 9, 10 and 11 to approved application DC/20/1851 (Appeal Ref: APP/Z3825/W/21/3267773)	Application Permitted on 07.06.2023.
DC/20/1851	Demolition of existing timber garage and shed. Erection of No.2 double storey dwellings with associated parking and landscaping.	Application Refused on 11.01.2021.

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 3 - Strategic Policy: Development Hierarchy
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 36 – Strategic Policy: Appropriate Energy Use
Policy 40 - Sustainable Transport
Policy 41 - Parking

Nuthurst Parish Neighbourhood Plan (2015-2031)
Policy 1: A Spatial Plan
Policy 10: Housing Design
Policy 14: Green Infrastructure and Biodiversity

Nuthurst Parish Design Statement 2016

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: Objection

The Parish Council needs more information from the applicant. The application is lacking valuable information which would enable council in their comments or recommendations. The plans submitted do not show what the applicant is requesting re extension for the plant room.

Representations:

1 representation received which objected to the application:

- Highways access and parking – accidents happen on the T junction and could result in injury.

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

Application reference: DC/20/1851 was granted permission through appeal in 2021. The application permitted the erection of 2no. double storey dwellings with associated parking and landscaping. The application seeks a minor material amendment to the existing planning permission (ref: DC/20/1851), through a variation of condition of the approved plans list, to accommodate a series of amendments to the approved design. The amendments include: -

- Increase the footprint to allow utility rooms on ground floor to house air source heat pump apparatus.
- Amendments to the roof design from hip end to gable end. Minor increase in ridge height by 0.15m at front (east) elevation with no increase at rear elevation.
- Amendments to fenestration with 2no. (non-overlooking) additional windows to rear (west) elevation to allow more light into the first floor.
- Revised hard and soft landscaping to allow new parking arrangements.
- Change from recessed to open porch design on front (east) elevation.

It is acknowledged that permission was granted for a 1no. 4-bedroom dwelling with a footprint of 99.6 sqm, application reference; DC/23/1442.

Principle of Development

Planning permission was granted at appeal under reference DC/20/1851 for the demolition of existing timber garage and shed and erection of 2no. double storey dwellings with associated parking and landscaping. This permission is dated 15.06.2021, where the Applicant confirmed that the garage and shed had been demolished on 10.04.2024. The demolition of these buildings represents commencement of the planning permission, where the permission is considered to be extant.

Character and Appearance

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape character from inappropriate development. Proposal should take into account landscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

The proposed amendments to the consented scheme (DC/20/1851) would create a dwelling that would have a ridge height that would sit below the neighbours, amendments to the roof would reduce the perceived scale of the dwelling. The increase in footprint would be minimal and have limited impact on the resultant dwelling but allow for a utility room on the ground floor to house an air source heat pump. The change of porch design would reduce the porch canopy to overhang the door only. The new parking arrangements would move the 2 parking spaces for House A from directly outside the front elevation, to closer to the front boundary, an angle to the dwelling. This would allow for additional soft landscaping, and frontage directly in front of the dwelling. The proposed dwelling would have rear gardens and provide outside space proportionate to dwellings of this size. It is therefore considered that the visual impact of the proposal is acceptable and would accord with planning policy.

Amenity Impacts

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

In respect of neighbouring amenity, the construction of the two dwellings would maintain a separation gap similar to those seen between other properties. Furthermore, the proposed windows would not result in additional overlooking of adjoining properties. It is considered that the proposed amendments to the scheme would not result in any unacceptable harm to neighbouring amenity.

Water Neutrality

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the 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.

Due to the pre-commencement conditions being discharged for application DC/20/1851, and confirmation that the development has been implemented through the demolition of the existing buildings, the dwellings represent a fallback for water neutrality. In the event that planning permission is refused, the DC/20/1851 permission can be built out as works have commenced. The agent has

confirmed that the permission would be implemented. Therefore, the development can be screened out from having to demonstrate water neutrality in this instance.

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.

The original planning permission to which this application relates was determined prior to 12 February 2024 and is therefore exempt from the requirements of BNG.

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 **Pre-Occupation Condition**: No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained.
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes.
- Details of all boundary treatments
- Details of all external lighting
- Ecological enhancement measures

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped, or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

3 **Pre-Occupation Condition**: No part of the development shall be occupied until the sustainability measures (comprising solar panels) as shown on drawing 643PL101I - Floor and

Roof Plan, dated 3 July 2024 have been implemented and are operational. The solar panels shall thereafter be maintained and operational.

Reason: In order to mitigate the effects of climate change and in accordance with policy 35 of the HDPF (2015).

4 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for the dwellings in accordance with approved drawings. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **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).

6 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that dwelling have been implemented in accordance with the drawing 643/_PL_101_I and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development 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 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).

8 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the windows at first floor level on the south elevation and north elevation on Plan 643PL101I - floor plan, dated 3rd July 2024 have been fitted with obscured glazing. The windows shall be fixed shut/non-openable. Once installed the obscured glazing shall be retained permanently and the window fixed shut/non-openable thereafter.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9 **Pre-Occupation Condition**: No dwelling shall be occupied until space has been laid out within the site in accordance with drawing 643PL101I - Floor and Roof Plan, dated 3rd July 2024 for 6 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for the parking of vehicles.

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

10 **Regulatory Condition**: The new roof junctions at ridge, eaves and verges shall be built to reflect traditional detailing including exposed rafter feet, cut verges without Winchester cuts and hogs back or half round ridge tiles.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

11 **Regulatory Condition**: The new windows hereby permitted shall have casements flush fitted with their frames if manufactured in timber or plastic.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance, and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition**: All new and replacement rainwater goods shall be cast iron or cast aluminium or cast effect plastic.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance, and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

13 **Regulatory Condition**: If any retained tree is cut down, uprooted, or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted, in accordance with details as approved in DISC/23/ 0083, at such time as may be specified in writing by the local planning authority. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

14 **Regulatory Condition**: All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

15 **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).

16 **Regulatory Condition**: The development hereby permitted shall be carried out in strict accordance with the Construction Method Statement approved under DISC/23/0083.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

17 **Regulatory Condition**: The development hereby permitted shall be carried out in strict accordance with the recommendations of the Contamination Risk Assessment approved under DISC/23/0083.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

18 **Regulatory Condition**: The development hereby permitted shall be carried out in strict accordance with the drainage strategy approved under DISC/23/0083.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

19 **Regulatory Condition**: The development hereby permitted shall be carried out in strict accordance with the finished levels approved under DISC/23/0083.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

20 **Regulatory Condition**: The development hereby permitted shall be carried out in strict accordance with the external facing materials approved under DISC/23/0083.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 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/24/1008
(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
Details plan	Drainage Strategy	643/103A	31.03.2023
Details plan	Construction Method Statement	R1	24.05.2023
Details plan	Materials Schedule	NONE	31.03.2023
Details plan	Phase 1 Desk Study	RO2	31.03.2023
Details plan	Phase II Geo-Environmental Assessment	LS6842 REV B	07.06.2023
Elevation plan	Elevations	643_PL_102_H	03.07.2024

Floor plan	Proposed Ground Floor, First Floor and Roof Plan	643/_PL_101_I	03.07.2024
Supporting Statement	Planning	NONE	03.07.2024
Location & Block plan	Block Plan - Location Plan	643/_PL_100F	29.08.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 29.08.2024

Authorising Officer sign/initial Tamara Dale Date: 03.09.2024