DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/2151
Orchardway House, Rock Road, Storrington, West Sussex, RH20 3AE

DESCRIPTION:
Part conversion of the garage outbuilding to provide an independent annexe and retain the garage and workshop.

RELEVANT PLANNING HISTORY:

DC/23/2051	Erection of a single storey side extension.	Pending
DC/23/0743	Demolition of existing rear covered area and erection of a single storey extension with new canopy porch.	Application Permitted on 20.06.2023
DC/23/0214	Installation of a stand alone PV Solar Panel array of 16no panels situated on hard standing.	Application Permitted on 12.05.2023
DC/05/0765	Erection of barn for storage of garden machinery	Application Permitted on 27.05.2005
T/81/03	Erection of barn to store garden machinery Site: Orchardway House Rock Road Storrington	Application Permitted on 03.02.2004
T/37/03	Widening of existing access & erection of 2.3m high gates Site: Orchardway House Rock Road Thakeham	Application Permitted on 04.07.2003

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 41- Parking

Thakeham Neighbourhood Plan 2017- 2031
Thakeham 1 (A Spatial Plan for the Parish)
Thakeham 6 (Design)

Thakeham 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:

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:
'*Thakeham Parish Council (TPC) feels that it has to Object to the application due to a lack of a Water Neutrality Report. TPC states that the proposed development will take an existing structure and turn it into additional new space for dwelling. As such, the applicant will increase their usage of water on the site. Consequently, as there is no report within the application, TPC finds that the proposal – in its current form – does not meet the requirements of Policy 9 of the HDC LP. Particularly 5.33, 5.34, 5.36 and 5.37 within Policy 9*.'

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
Orchardway House is a detached dwelling set within a large plot to the north of Rock Road, outside any BUAB, in a countryside location. A long driveway provides access to the large garage outbuilding the subject of this application which is located immediately adjacent to the west of the main dwelling and consists of large garage, two store rooms, one workshop, and a further double bay car port and logstore. There is extensive off-street driveway parking. The site is not visible from the highway due to separation distance and boundary treatment consisting of solid timber gated entrance and mature vegetation screening along the highway.

Planning permission is sought to convert part of the existing outbuilding to annexe accommodation consisting of lounge/kitchen, bedroom, shower room. Two garage doors to be replaced with two pairs of black powder coated aluminium French doors. A pedestrian entrance door inserted to the rear in place of an existing window, and a new window. It is stated that the annexe is proposed for the use of the applicants parents/ family when they visit who currently stay in the house..

Therefore, mitigations would be required to offset any potential uplift in water use. However, no such strategy has been advanced by the applicant. As such, it cannot be ruled out that the development

would not result in a significant impact on protected habitats sites from increased mains water use and no water neutrality statement has been provided to evidence that this impact can be suitably mitigated. An adverse effect on the Arun Valley SAC, SPA and Ramsar sites cannot therefore be ruled out.

Accordingly, the Council has completed a Habitat Regulations Appropriate Assessment and heeded the Standing Advice of Natural England. This is explained in detail below.

The application has been assessed based on 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.

Principle

Policy 28 of the Horsham District Planning Framework (HDPF) relates to extensions and redevelopment of dwellings in the countryside, stating that:

"Outside the defined built-up areas house extensions, replacement dwellings and ancillary accommodation will be supported if the development can be accommodated appropriately within the curtilage of the existing dwelling. In addition:

3. Ancillary accommodation and garaging will be required to meet with all other appropriate policies, particularly design principles, and demonstrate that the need for additional space cannot be met from an existing dwelling or buildings suitable of conversion on the site. The size of any new outbuilding should have regard to the dwelling they serve and should be grouped with the house. The use of ancillary accommodation as a separate dwelling will not be supported, and

4. Garages and any new outbuildings should have regard to the dwelling they serve and should be grouped with the house. The use of ancillary accommodation as a separate dwelling will not be supported."

The application submission demonstrates the scale and provision of the accommodation is ancillary in its nature to the existing dwelling to avoid it being used as a separate dwelling and its functionally grouped with the house. The existing building is suitable for the proposed conversion.

To ensure this outcome, in the scenario that the application was to be recommended for approval, it would have to be subject to a legal agreement or condition to avoid future severance of the ancillary accommodation from the existing house (Orchardway House) by way of restriction on occupation. Any future resubmission should be accompanied by this.

Character, Design 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 site is within a countryside location. The provision of annexe accommodation within an established large curtilage would not be unusual viewed in context with the main dwelling in a large plot and the windows/doors to be used on the outbuilding which is located immediately adjacent to the dwelling are considered acceptable to the setting. The wider visual impact would be limited due to separation distance and screening softens any visual impact from the street scene and would not appear intrusive or unduly dominant. Existing extensive driveway parking adjacent to the garage and dwelling would be unaffected.

The alterations to the garage outbuilding would be in keeping with the overall character or appearance of the site and would have a neutral impact on the visual amenities of the locality. It is therefore

considered that the visual impact of the proposal is acceptable and would accord 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. It is considered that the siting and layout of the windows/access and the resulting relationship with adjoining properties would not result in any unacceptable harm to neighbouring amenity, including by way of overlooking and intensification of activity (comings and goings)

Highways Matters

The plot demise of the existing house and ancillary accommodation provides sufficient off-street parking and turning space to accommodate the parking need and demand brought about by the development.

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.

The proposal falls within the Sussex North Water Supply Zone and would result in a greater level of water abstraction than the site presently generates. Natural England therefore require that the proposal demonstrates water neutrality or that it should be delayed awaiting an area-wide water neutrality strategy. In the absence of a strategy to demonstrate water neutrality through the incorporation of on-site measures and/or appropriate offsetting actions capable of achieving water neutrality, there is no certainty that the proposal will not contribute further to the existing adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. There are no considerations of overriding public interest that would alternatively warrant the grant of permission under s.64 of the Regulations. In such circumstances the grant of permission would be contrary to policy 31 of the HDPF, NPPF paragraph 186 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Ecology (outside of the issue of Water Neutrality)**:**

The application site is in an amber Impact Risk Zone for Great Crested Newts as modelled by district licence mapping, however it is considered that the proposed development would present no likely impact to great crested newts or their habitats.

Additionally, the site is located in the Bat Substance Zone (HDPF Policy 31) in relation to The Mens Special Area of Conservation. As the proposal is recommended for refusal, it is not necessary to undertake Appropriate Assessment of the adverse effects on the qualifying features of The Mens (Bats).

However, if the applicant decides to proceed with a resubmission it would need to be informed by appropriate bat survey undertaken by a qualified ecologist to evidence what adverse effects if any would arise from the development.

Conclusion

Whilst the principle is not resisted and the character and appearance and highways impacts are judged acceptable, the proposal is not accompanied by mitigation to offset any potential uplift in water use which would result from an increased occupancy on the site. It is therefore considered to conflict with HDPF Policy 31 and is therefore recommended for refusal on this basis alone.

Recommendation: Application Refused

Reason for Refusal:

1. Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

INFORMATIVE:
If the applicant decides to proceed with this proposal with a future resubmission of a planning application or appeal this refusal decision, this resubmission should be informed and accompanied by:

i) Bat survey by a professional ecologist to address the effects of the proposal on The Mens Special Area of Conservation given the location of the application site within the Bat Sustenance Zone (as defined by HDPF Policy 31)
ii) A legal agreement that ensures there is not severance between the ancillary accommodation and the existing house.

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/23/2151
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **refused**:

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Existing site	2023.392.01a	27.11.2023
Elevation & Floor plan	Proposed roof and site	2023.392.02a	27.11.2023
Location plan		2023.392.03a	27.11.2023
Block plan	Proposed	2023.392.04a	27.11.2023

DELEGATED

Case Officer sign/initial Matthew Porter Date: 16.09..2024

Authorising Officer sign/initial	J Hawkes	Date:	17.09.2024