Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0325
5A Shelley House , Bishopric, Horsham, West Sussex, RH12 1QF

DESCRIPTION:
Alterations to the external materials of dwellinghouse including new roof material, blocking up of garage door and south east elevation window, installation of a window within the north east elevation and white render to external dwellinghouse.

RELEVANT PLANNING HISTORY:

DC/22/0490	Prior Approval for Change of Use from retail to a single dwellinghouse.	Permitted on 01/06/2022
HRA/23/0017	Application under Regulation 77 of the Conservation of Habitats and Species Regulations 2017 in respect of DC/22/0490	Permitted on 03/05/2024

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

Neighbourhood Plan:
Horsham Blueprint Neighbourhood plan
HB3: Character of development

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:
Environmental Health: The application proposes to introduce a dwelling in immediate proximity to a yard and large buildings still in commercial use. There is no restriction to prevent buildings in the vicinity of the proposed dwelling being used more intensely than at present. Such an intensification in

activity could generate noise and disturbance that may adversely impact the amenity of the proposed dwelling. Further information is required from the applicant to demonstrate that the uses of these buildings and associated activities will not adversely impact the amenity of the occupiers of the proposed dwelling.

Commercial or agricultural buildings can be also be subject to significant contamination risks arising from their use, construction and storage of machinery equipment fuels or other chemicals. The location and details plan has identified the presence of asbestos cement sheeting. Potentially hazardous materials may also be incorporated in made ground, yards and hard standings. Information is also required on these matters and a preliminary risk assessment should be provided to ensure the application is properly determined. So information on measures achieve water neutrality within the proposed dwelling have been provided.

Southern Water: It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
Southern Water has noted that the applicant has submitted a Water Neutrality report which we understand the Local Planning Authority will be working in conjunction with Natural England on reviewing the developers proposals. We would not comment on the developers proposals directly, however if the LPA have any specific questions, they can be forwarded to us for a direct response.

Highways: This application seeks the conversion of building to form a single dwelling. The site is located on Bishopric, an A-classified road subject to a speed restriction of 30 mph. No vehicular access or parking is associated with this application. The proposed works are not anticipated to give rise to a material intensification of movements to or from the site. WSCC Parking Standards would expect a dwelling of this size and location to provide one parking space. As no off-street parking is proposed, vehicular parking would therefore have to be accommodated on-street. There are comprehensive parking restrictions in place on nearby roads that prohibit parking in places that would be detrimental to highway safety. The LHA does not anticipate that the proposed nil car parking provision would give rise to a highway safety concern or parking capacity issue, but the LPA may wish to consider potential amenity impacts. No details of cycle parking provision have been provided. Cycling is a viable option in the area and the LHA would request that secure cycle parking provision be provided in accordance with WSCC Parking Standards.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

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:
Horsham Denne NC notes that this application seems to be identical to the previous application DC/22/0490, which was permitted by HDC (HDNC was not consulted). We query why there is need for a new application?

HDNC understands that any alterations to the building will require a full planning application, to which we may object. We do not consider the information given indicates that the building is fit for the proposed purpose of residential accommodation.

HDNC also notes the Environmental Health response requesting more information. Therefore, HDNC objects due to insufficient information.

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.

The application site was granted permission under DC/22/0490 for a change of use from retail unit to a single dwellinghouse. Given that the previous retail unit would be able to be occupied as a dwellinghouse as a result of this application, the principle of the unit in residential use is acceptable. There have been no changes in site circumstance that would warrant an alternative conclusion in this regard and the current application has been submitted in order to seek permission for the proposed alterations such that it has a more domestic appearance over the previous retail unit.

Character and Appearance

Policy 32 and 33 of the HDPF seeks 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 would result in a modest alteration which would be more domestic in appearance such that the proposed appearance of the unit reflects its use. The alterations would not be readily visible from the streetscene and it is not considered that the scale of changes are inappropriate for the character of the area or for the existing dwelling. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

Amenity Impact

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 prior notification application approved under DC/22/0490 required two conditions to ensure there were not unacceptable impact in terms of noise impact on surrounding development and future occupiers and to submit a remediation strategy in the case of contamination being found at the site. Given that the current application under assessment is for the alteration to the external appearance of the home, these conditions are not considered necessary in this instance.

The alterations to fenestration are limited to ground floor level and would not result in an extension of built form that would be capable of unacceptable overlooking, loss of privacy or loss of light. 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.

Water Neutrality

Given the nature of the changes proposed, 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.

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 materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and 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/24/0325
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Site plan	and Existing and Proposed floor and elevations	21-03-01 REV C	04.03.2024

DELEGATED

Case Officer sign/initial	Hannah Darley	Date:	12th April 2024
Authorising Officer sign/initial	RHERMITAGE	Date:	03.05.2024