Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1114
4 Tilletts Lane, Warnham, West Sussex, RH12 3RD

DESCRIPTION:
Outline Application for 1No. self-build detached house with all matters reserved except access.

RELEVANT PLANNING HISTORY:

None relevant

SITE AND SURROUNDS

The existing site benefits from a large L shape garden which provides a secondary access to a garage from Friday Street. The site is located within the built-up area of Warnham, and this section of the application site is within Warnham Conservation Area.

DETAILED DESCRIPTION

Outline planning consent is sought for the construction of 1no self-build detached house to be located where the existing garage is and utilise the existing access onto Friday Street. The Site Plan indicates that the plot would be subdivided to create two separate plots. The proposal would represent an additional new-build dwelling on the site, alongside the existing dwelling which would be retained. An indicative site plan has been provided to demonstrate the scale of the proposed building.

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 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 15 - Strategic Policy: Housing Provision
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 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision

making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five-year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the district (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Warnham Neighbourhood Development Plan (2017-2031):
Policy W1: Built-Up Area Boundary
Policy W3: Housing Mix – Meeting Local Needs
Policy W5: Design of Residential Development

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:

HDC Conservation: No Objection

Friday Street is identified as a distinct character area in the Warnham Conservation Area appraisal. Early edition O.S. maps of the late nineteenth century suggest Friday Street may have been considered a separate settlement from Warnham before the infilling of the open space between them accelerated through the twentieth century. At this point in time, Friday Street is an established part of Warnham and is characterised by the narrowness of the street and the residential properties constructed either side. It has lost its historic rural character and the different construction periods of the properties now fronting the thoroughfare gives it an eclectic residential character.

The proposal to build a dwelling adjacent to 76A Friday Street is agreeable in principle regarding the impact to the character of the conservation area. Clearly, it is important to ensure that the design preserves that character, but I see no reason why this cannot be achieved. I would have preferred a full application due to the sensitivity of the site to change but am satisfied the details of any future dwelling can be managed to ensure a successful development in this context.

Natural England: No Objection
We concur with the conclusion of your authority's HRA appropriate assessment, insofar that we have no objections subject to the delivery, management and maintenance of measures identified in the water neutrality statement, and subject to relevant pre-commencement conditions identified in the appropriate assessment being put in place to achieve water neutrality.

WSCC Highways: Comment
This outline application seeks the erection of one self-build detached house, with all matters reserved except access. The application site is located off Friday Street, an unclassified road subject to a speed restriction of 30 mph.

The site will make use of an existing vehicular access point on Friday Street. The proposed development would not be anticipated to give rise to a material intensification of use of the existing access point.

The Planning Statement states that this access is to be widened to improve access in and out of the site. The proposed access works will be subject to a licence obtained through the local WSCC Highway Area Office and constructed to a specification agreed with the local WSCC Highway Area Engineer.

Regarding parking, whilst a reserved matter, the plans demonstrate an indicative site layout comprising two off-street car parking spaces. Under WSCC Parking Standards, this would be considered suitable for a two-bedroom dwelling. Dwellings with three bedrooms or more would be expected to be provided with three off-street parking spaces. Whilst no highway safety concerns would be raised to a shortfall in parking, the LPA may consider the potential impacts on on-street parking from an amenity point of view.

Details of secure and covered cycle parking provision would also be expected to be provided in accordance with WSCC Parking Standards at reserved matters stage.

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.

Ecology Consultant: Recommend grant permission subject to conditions.
We note from the Bat Survey Report (Arun Ecology, September 2024) that no bats were observed emerging from or re-entering building B1 (garage) during the emergence survey in August 2024. We therefore agree that bats are likely absent from building B1. We also note from Preliminary Ecological Appraisal (PEA) (Arun Ecology, May 2024) that Building B2 (wooden shed) has negligible bat roost potential and the five trees within the site also have no potential to support roosting bats. We therefore agree that no further surveys are required for bats.

We are now satisfied that there is sufficient ecological information available for determination. We have no objections on ecological matters excluding Great Crested Newts.

The mitigation and enhancement measures identified in the Bat Survey Report (Arun Ecology, September 2024) and Preliminary Ecological Appraisal (PEA) (Arun Ecology, May 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species.

Parish Comments:
Objection: The Parish Council strongly objects to the application and has serious concerns over this planning application due to the access which is very limited. Friday Street is very narrow and already at maximum capacity of overcrowding. There will not be enough access for HGV's to safely enter and manoeuvre along Friday Street and Tilletts Lane. Surrounding properties will be over looked by the new build and will have a significant impact on these properties, which are all in a conservation area. With the removal of the Sycamore Tree this will see the significant loses of natural habitats for slow worms, nesting birds and much more wildlife, not to mention the impact the removal of the tree will have on the street scene. The Parish Council strongly request a visit site by HDC Planning Officers and DCllrs. In accordance with the recent traffic flow survey which the Parish Council funded, there is a clear increase in traffic down Friday Street which included, speeding and excessive congestion.

Representations:
6 representation letters, received from 5 households which **objected** to application: (summarised)

- Overshadowing – two-storey brick wall would lead to loss of light.
- Loss of privacy – overlooking on properties nearby
- Environmental damage – development will damage the local wildlife. The removal of mature sycamore tree would damage local biodiversity.

- Highway safety, traffic, and parking issues – additional dwelling will increase traffic and accidents. Friday Street is a narrow road, with limited parking and restricted traffic flow.
- Warnham Conservation Area Appraisal and Management Plan highlights the traffic issues along Church Street and Friday Street. With the plan stating that the loss of front gardens to parking detracts from their historic setting and should be resisted.
- Noise/build disruption

Member Comments:
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

Outline planning permission is sought for the erection of 1no residential dwelling to the south of the plot of 4 Tillets Lane, with all matters reserved except access. The application was accompanied by an indicative block and location. Matters relating to appearance, layout, scale, and landscaping would therefore be addressed at the subsequent reserved matters stage.

Principle of Development:

Policy W1 of the Warnham Neighbourhood Plan outlines that new development within Warnham parish should be focused within the Built-up Area Boundary of Warnham village.

Policy 3 of the Horsham District Planning Framework (2015) states that development will be permitted within towns and villages that have defined built-up areas, with any infilling and redevelopment required to be of an appropriate nature and scale to maintain characteristics and function of the settlement. The application site is located within the built-up area boundary of Warnham, which is categorised as a “Medium Village” within Policy 3 of the HDPF. These are settlements with a moderate level of services and facilities, together with some access to public transport.

The proposal would represent infill housing, within the built-up area. The site is considered to be of an appropriate size and sufficient to accommodate the proposed development, with the dwelling considered to maintain the characteristics and function of the settlement. The plot size would be similar to the neighbouring dwelling of Rivendell (76A Friday Street) and the indicative plan indicates that the dwelling would sit forward of 76 Friday Street to the east. The existing garage would be removed from the site, and from the indicative site plan, a new garage would be erected towards the south-east boundary. The proposal would therefore follow the established built pattern for dwellings along Friday Street. The indicative nature of the plans is acknowledged, and the proposal is therefore considered acceptable in principle, subject to all other material considerations.

With the above in mind, the principle of the proposal is accepted. The appropriate degree of weight to be assigned to conflict with these policies is detailed further below.

Highways / Access:

Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

Matters relating to access are submitted for determination under this outline consent. It is outlined that an existing access would be utilised for the proposed dwelling, with the site plan indicating that an area of hardstanding would be provided to the front of the dwelling as well as a garage. The existing access would be widened to improve access in and out of the site, this would be subject to a licence from WSCC Highways. The indicative site layout shows two off-street car parking spaces, which is considered suitable for a two-bedroom dwelling. WSCC Highways did not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe; cumulative impacts on the operation of the highway network. Accordingly, the means of access into the site are considered satisfactory.

Other Matters:

The following matters are considered material in relation to the determination of this outline consent:

Design and Appearance:

Policies 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.

Policy W5 of the Warnham Neighbourhood Plan outlines that the scale and character of proposals should reflect the landscape, local streetscape, and heritage assets. New development should respect and protect the buildings and environment of the conservation area and demonstrate high quality design that is in keeping with existing buildings and layout in the area.

The wider surroundings are characterised by residential development, within relatively narrow plots. The build pattern is recognisable, with dwellings that abut the main road, Friday Street. The indicative site plan shows that the proposed dwelling would sit within the established build pattern, with a dwelling that abuts the main road. The matters of scale, appearance, and layout have been reserved for later consideration, and as such do not form part of the current application. it is however, considered that the proposed site would be of adequate size to accommodate an additional dwelling, with the size of the site resulting in limited harm to the visual amenities of the street scene.

Trees and Landscaping:

Any foreseeable Arboricultural impacts and landscape design could only be reasonably assessed at a more detailed stage of assessment of proposed layout and design, with an application requiring an appropriate tree survey, Arboricultural impact assessment and detailed landscape design.

Heritage Impacts:

Policy 34 of the Horsham Development Framework aims to sustain and enhance the historic environment through positive management of development affecting heritage assets. By reassuring development preserve and ensure clear legibility of, locally distinctive vernacular building forms and their settings, features, fabric, and materials.

The proposed development would be within part of the application site that is classified as Warnham Conservation Area. Therefore, any design and appearance must be sympathetic to the existing heritage of the street and wider area. The HDC Conservation Officer was agreeable in principle to the

dwelling regarding the impact of the character of the conservation area. It is important that the design preserves the character, but there was no reason why this couldn't be achieved. The dwelling would need to be sensitively designed, but this would be subject of further consideration and public consultation when elevations are submitted at reserved matters stage.

Amenity Impacts:

Policy 33(2) 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 the proposed development) and land. Development should consider the scale, massing, and orientation between buildings.

The objections to the proposal are acknowledged. However, the proposed development would be sufficiently distanced from nearby residential properties, siting forward of 76 Friday Street and in line with Rivendell. Furthermore, no elevation or floor plans have been submitted, so further assessment in regard to overlooking, privacy, overshadowing, etc, as raised in the objections, would be required at reserved matters stage. No objections are therefore raised to the proposal in this regard. This would be subject of further consideration and public consultation when elevations are submitted at reserved matters stage.

Ecology:

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate.

The provided bat survey report concluded that bats are considered to be likely absent from building B1 at the site and as such the development is reasonably unlikely to result in harm to individual bats or adversely impact bat roosts. Recommendations were made to ensure that if bats were found on site during construction, that works would stop and an ecologist would be consulted. The Ecologist had no objection on ecological matters and welcomed the reasonable biodiversity enhancements on site to secure net gains for protected species.

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 existing baseline water demand on site is 0 l/d. The proposed water consumption would be 271.70 l/d prior to mitigation. By installing water efficient fixtures and fittings the proposed consumption would be 209.7 l/d. Water efficient fixtures and fittings would be retrofit within the existing dwellinghouse on site with the existing demand reduced to 209.7 l/d, a saving of 97.96 l/d. 28.08 l/d will be supplied by rainwater harvesting. The water usage can be reduced to 140.32 l/d for both the existing and proposed dwellings with the installation of water efficient fixtures and fittings and rainwater harvesting which totals 280.64 l/d which is less than the existing consumption rate at the existing dwellinghouse. Therefore, the proposal would be water neutral by 27.02 l/d.

Natural England were consulted on the water strategy following the carrying out of an Appropriate Assessment by officers, and raised no objection, subject to the delivery, management and

maintenance of measures identified in the water neutrality statement to achieve water neutrality. The information available and the mitigation measures proposed are considered to provide the necessary certainty to demonstrate that the proposed development would be water neutral. Appropriate mitigation measures have been demonstrated and are considered sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC, and Ramsar site from the development either alone or in combination with other plans and projects, in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats and species).

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 Agent has confirmed that the dwelling would be self-build which would be exempt from needing the demonstrate Biodiversity Net Gain.

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity, and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

The proposal currently before the Authority does not seek to specifically address the requirements of HDPF Policies 35, 36 and 37, though, it is accepted that these measures would be detailed through the reserved matters submission and could be secured by way of appropriately worded conditions, such as the use of sustainable drainage infrastructure, cycle parking/electric vehicle charging apparatus, and opportunities for biodiversity enhancement. These measures, collectively, would be considered sufficient to establish compliance with the requirements of HDPF Policies 35, 36 and 37.

Conclusion

The proposed development is considered acceptable in principle, subject to all other material considerations. As the application is made in outline, details of the layout, scale and appearance are reserved for later consideration.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. **This development constitutes CIL liable development.**

In the case of outline applications, the CIL charge will be calculated at the relevant reserved matters stage.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**:

a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building and the landscaping of the development (hereinafter called "the

reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

d) The development hereby permitted shall begin either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3 **Pre-commencement (slab level) Condition**: No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system for both the existing and proposed dwellings required by the approved water neutrality strategy (Water Neutrality Statement received 22.07.2024) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), and to enable the Local Planning Authority 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).

4 **Pre-Occupation Condition**: A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (PEA) (Arun Ecology, May 2024), shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (as amended).

5 **Pre-Occupation Condition**: No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for both the existing and proposed dwellings have been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), and to enable the Local Planning Authority 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).

6 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to

enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

7 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Survey Report (Arun Ecology, September 2024) and Preliminary Ecological Appraisal (PEA) (Arun Ecology, May 2024), as already submitted with the planning application, and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for reptiles in Section 6.5.6 of the Preliminary Ecological Appraisal (PEA) (Arun Ecology, May 2024), which avoids impacts on protected species.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

INFORMATIVE

Vehicle Crossover – Minor Highway Works
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

Additional information about the licence application process can be found at the following web page:
http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways-licence/

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/24/1114
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Block plan		4780-001 REV B	22.07.2024
Location & Block plan		4780-0002 REV D	22.07.2024

DELEGATED

Case Officer sign/initial	Bethan Tinning	Date:	08.10.2024
Authorising Officer sign/initial	RHERMITAGE	Date:	11.10.2024