Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1234
29 Cook Way, Broadbridge Heath, West Sussex, RH12 3US

DESCRIPTION:

Conversion of half of garage into habitable living space to form a garden room. (Retrospective).

RELEVANT PLANNING HISTORY:

DC/13/1690	Development of 136 residential units, including 27 affordable (20%), the creation of public and private amenity space, incidental open space, internal circulation routes, landscaping and associated works pursuant to outline application DC/09/2101 (Approval of Reserved Matters)	Application Permitted on 22.04.2014

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:
Broadbridge Heath has not been designated as a Neighbourhood Plan area.

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 9: Water Neutrality
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 24: Sustainable Transport
Policy 25: Parking
Policy 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

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 Authority:
This proposal is for the conversion of half of garage into habitable living space to form a garden room. The application is retrospective and was completed in July 2024. The site is located on Cook Way, a private road, consequently these comments are for your advice only.

Cook Way adjoins Old Wickhurst Lane, a private road, which the adjoins the public highway at Broadbridge Heath Bypass, an A-classified road subject to a speed restriction of 40 mph in this location. The existing access arrangements are unaffected by the proposal. The development is not anticipated to give rise to a material intensification of use of the existing access point.

Part of the single-bay garage will be lost as part of the proposals. From inspection of the plans, the remaining garage does not meet the minimum internal specifications for single-bay garages of 3m x 6m as outlined in Manual for Streets (MfS). Therefore, the LHA would not consider the existing garage for parking provision, as it is likely too small to accommodate modern sized cars.

However, an existing driveway is to be retained with provision for at least 1 car. Therefore, no concerns are raised regarding loss of existing parking provision.

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.

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

Character and Appearance

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.

Permission is sought retrospectively for the conversion of part of the garage to habitable space. Externally the side door has been replaced with a set of bifold doors.

The new doors and the use of the rear of the garage as an additional living room are in keeping with the domestic use of the dwelling. The new doors are also in keeping in regards to design.

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 bi-fold doors face into the garden of no. 29, rather than providing additional views into neighbouring gardens.

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.

Highways

Policy 40 of the HDPF supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, whilst Policy 41 requires adequate parking facilities within developments. Chapter 9 of the National Planning Policy Framework sets out that 'development should only be refused on transport grounds if there would be an unacceptable impact on highway safety grounds, or the residual cumulative impacts on the road network would be severe'.

The existing access arrangements to the site are unaffected by the proposal. The development is not anticipated to give rise to a material intensification of use of the existing access point. Part of the existing garage has been lost, it is not considered by the Local Highway Authority (LHA) that the existing garage is of sufficient size to store a modern car. One parking space is retained; however, which is considered suitable provision by the LHA. Furthermore, the size of the driveway may well provide for additional parking if needed.

The reduction in parking area is not considered ideal, particularly as restrictions have previously been placed on the use of the garage. The LHA have; however, raised no concerns about a lack of parking in the area. As parking for one car remains on the driveway the conversion in this instance is considered acceptable.

The LHA considered the application and 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.

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 186 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 considered to comply with relevant local and national planning policies and is therefore recommended for approval.

Recommendation: Application Permitted

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/24/1234
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		PL001 REV B	09.10.2024
Block plan	Proposed	PL002	06.10.2024
Elevation & Floor plan	Proposed	PL004	06.10.2024

DELEGATED

Case Officer sign/initial Alice Johnson Date: 19/11/2024

Authorising Officer sign/initial RHERMITAGE Date: 04.12.2024