



TO: Planning Committee North

BY: Head of Development and Building Control

DATE: 4th April 2023

DEVELOPMENT: Erection of a two-storey detached dwelling and associated works.

SITE: 36 Warren Drive Southwater Horsham West Sussex RH13 9GL

WARD: Southwater North

APPLICATION: DC/22/1878

APPLICANT: **Name:** Mr Niall Keelaghan **Address:** Cu Chulainn Camp End Road
Weybridge Surrey KT13 0NU

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

By request of Councillor Vickers

RECOMMENDATION: To approve full planning permission subject to appropriate conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Planning permission is sought for the construction of a detached two-storey two-bedroom dwelling on land to the west side of 36 Warren Drive, Southwater. The application follows a previous refused scheme for a detached two-storey three-bedroom dwelling. The proposed amended dwelling incorporates an integral single garage to the north elevation and will be accessed via the existing driveway to the host dwelling 36 Warren Drive, with a driveway leading to three car parking spaces adjacent to a garage.
- 1.2 The proposed two storey dwelling would be slightly higher than the neighbouring dwelling at 36 Warren Drive. The proposed roof would be a maximum height of 8.25m, with an eaves height of 5m & 2.5m respectively. The proposed dwelling would be 9.5m in width and 6m deep (9.8m including the integral garage). The proposed two-storey dwelling is laid out to comprise two bedrooms, an open plan living/dining room, kitchen, a main bathroom and an en-suite bathroom.

The dwelling features a catslide roof over the single garage and the proposed materials are proposed to match the host property at 36 Warren Drive as well as surrounding properties.

DESCRIPTION OF THE SITE

- 1.3 The application site is the southwest corner plot of Warren Drive and forms part of the side/rear garden of 36 Warren Drive. The site is within the Southwater built up area boundary. 36 Warren Drive is a detached two storey dwelling brick built, featuring first floor horizontal cladding and tiled gable roof. Nos. 34, 35, 37 & 38 Warren Drive consist of similar materials and appearance / character.
- 1.4 The existing site of 36 Warren Drive has a site area generally larger than neighbouring sites. Boundary treatment around the rear and side of the site consists of close board timber fencing 1.8m high and vegetation, hedgerows and trees along the south and west. To the north-east of the site is situated the rear garden of No. 37 Warren Drive. No. 23 Blakes Farm is situated to the west of the site with No. 25 Blakes Farm and No.35 Warren Drive located further south and south-east respectively.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework

Horsham District Planning Framework (HDPF 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 15 - Strategic Policy: Housing Provision

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 37 - Sustainable Construction

Policy 41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

Southwater Neighbourhood Plan:

SNP1: Core Principles

SNP2: Proposal for Residential Development

SNP4: Keeping Our Roads Moving

SNP9: Home Standards

SNP10: Residential Space Standards

SNP13: Enhancing Our Non-Motorised Transport Network

SNP14: Adequate Provision of Car Parking

SNP15: Driving in the 21st Century

SNP16: Design

SNP17: Site Levels

Parish Design Statement:

Southwater Parish Design Statement (2011)

Planning Advice Notes:

Facilitating Appropriate Development

Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/21/1101

Erection of a two-storey detached dwelling.

Application Refused
on 14.06.2022

3. OUTCOME OF CONSULTATIONS

- 3.1 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

INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** No Objection

- 3.3 **HDC Arboriculture:** Comment. The principle arboricultural features at the site are the mature Oak and Ash trees located on the southwest boundary of the of the site. Both trees are readily visible from the public domain and contribute positively to the area's visual character. The Oak and the Ash have been managed for size and form by somewhat harsh surgery, which they appear to be recovering from well. From the measurements taken on-site and from the proposed site plan drawing APL 01, it is apparent that the new building would not be located within the Root Protection Area (RPA) of either of these trees; and there are no direct impacts associated with the required excavations for the foundations for the new dwelling.

Two small low merit trees within the garden would need to be removed for the new dwelling to be built as proposed, the removal of these trees will not result in any significant harm to the visual character of the area, and I do not have any objection to their removal

If minded to approve the application, to ensure the satisfactory and long-term retention of the Oak in the rear garden, it would be beneficial to have some tree protection measures in place before the development commences, this is to ensure that the tree's RPA is not compromised by the development. In addition, a landscape condition should also be attached to any consent to ensure that if any trees/shrubs shown for retention are lost within five years post-development, they will need to be replaced.

OUTSIDE AGENCIES

- 3.4 **WSCC Highways:** No Objection. The highway authority 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 111), and that there are no transport grounds to resist the proposal.
- 3.5 **WSCC - FRS Water and Access:** Comment. Evidence is required to show that access for a fire appliance to the property can be achieved to within 45 metres of all points inside the dwelling house in accordance with Approved Document B Volume 1 2019 Edition B5 section 13.
- 3.6 **Southern Water:** Comment. 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 requires a formal application for a connection to the public sewer to be made by the applicant or developer.

3.7 **Natural England:** No Objection - Subject to Appropriate Mitigation Being Secured

PUBLIC CONSULTATIONS

3.8 **Southwater Parish Council:** Objection on the grounds of insufficient information shown how the access to the new house does not affect the parking of the existing building, concluding overdevelopment as before. Overdevelopment and inadequate parking.

3.9 Letters of representation with objections have been received from **25** separate addresses and a report has been received from Harwood Savin on behalf of No.37 Warren Drive dated 8th December 2022. 1 letter of support was received for the application. Relevant objecting comments include concerns on:

- Overdevelopment, development pattern, a precedence would be set for infill development
- Out of keeping with character of the area and layout of existing homes.
- Loss of privacy, overlooking
- Overshadowing, loss of light
- Loss of General Amenity
- Increase in traffic, parking and access concern
- Negative impact on environment
- Trees and Landscaping
- parking provisions are inadequate, and No. 36 already provides constant parking overspill
- Water and drainage

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 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.

4.2 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.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Principle of Development:

6.1 Policy 3 of the Horsham District Planning Framework (HDPF) states that '*development will be permitted within towns and villages which have defined built-up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the settlement hierarchy*'.

- 6.2 The application site is located within the built-up area of Southwater, which is designated as “small towns and larger villages” under policy 3, a settlement with a good range of services and facilities, strong community networks and local employment provision, tighter with reasonable rail and/ or bus services. The settlement acts as hubs for smaller villages to meet their daily needs, but also have some reliance on larger settlements / each other to meet some of their requirements.
- 6.3 The application site is located within a defined built-up area and as such is found within a location where the principle of development is established by HDPF policy 3. It is not considered that the provision of a single dwelling would represent a scale or form of development which would materially influence the status or character of Southwater as a small town and its positioning within the ‘settlement hierarchy’ defined at HDPF policy 3.
- 6.4 The site is well-located relative to services, amenities afforded within the settlement of Southwater in addition to locally available public transport infrastructure. The site, therefore, is deemed to be a sustainable location for residential development and it is considered that the provision of a single dwelling in this location would benefit from the Authority’s support in principle, subject to all other material considerations.

Design and Appearance:

- 6.5 Paragraph 130 of the NPPF states that *‘planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible’.*
- 6.6 Policy 25 of the HDPF requires that *‘development protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation’.*
- 6.7 Policies 32 and 33 of the HDPF require *‘development to be of a high standard of design and layout. Development proposals must be locally distinctive in character and respect the character of their surroundings. Where relevant, the scale, massing and appearance of development will be required to relate sympathetically with its built-surroundings, landscape, open spaces and to consider any impact on the skyline and important views’.*
- 6.8 Policy 10 of the SNP requires that *‘all new residential units must meet the ‘Technical housing standards – nationally described space standard’ (March 2015, as amended in May 2016) or subsequent updated standard set by Central Government. In addition, all new residential units must have access to adequate private, or shared private, outdoor space to meet the needs of future occupants’.*
- 6.9 Policy 16 of the SNP states that *‘all development must be of high quality design, including: facing buildings with locally sourced materials; encourage a variety of complimentary vernaculars to encourage contextually appropriate design and diversity; and using Secure by Design principles to ensure developments are safe to live in’.*
- 6.10 The application site is located within a suburban setting principally characterised by modern residential development. The predominant material in this location is mix between facing brickwork (red/brown), rendering and horizontal cladding to the first floor, tiled roofing and proposed materials are to match the adjacent dwelling.

- 6.11 The pattern of development in the immediate vicinity is dwellings of predominantly two-storey arranged around a cul-de-sac (Warren Drive) with the surroundings being the rear and side of properties from surrounding roads of Blakes Farm Road and Woodpeckers. The prospective development would constitute infill development in this location and would broadly continue the pattern of development at the end of this cul-de-sac. It is not considered, therefore, that the proposal would represent an incongruous addition to the local pattern of built development, subject to the quality of design and landscaping associated with the prospective development.
- 6.12 As a sub-division of the existing plot, the prospective dwelling of ground floor area 67.75 m² would occupy the north-western half of overall site area 370 m². The separation distance from the eastern boundary would be approximately 1.30m. The front garden depth and distance to the northern boundary would be approximately 9.60m, whilst 5.70 m at its shortest depth from the integral garage. The rear garden depth from the southern boundary would be approximately 14m.
- 6.13 The proposed dwelling would measure to a width 9.5m and a depth of 5.9m with a projection of 3.85m for the front garage at ground floor and a projection of 2.35m for the bathroom at first floor. The proposed dwelling would incorporate a gable roof with a catslide roof over the garage and dormer window. The proposal would include window and door openings to the northeast (front), southwest (rear) and southeast (side) elevations, and would be finished in facing brickwork to the ground floor and white synthetic cladding or Eternit Cedral to the first floor and matching roof tiles to neighbouring properties. The proposed
- 6.14 The application site itself forms part of the side and rear garden of 36 Warren drive with a fence enclosing the side garden joining the existing double garage. Given the orientation of dwelling within the garden, its position would not significantly detract from the sense of place around the subject built form of the existing dwelling but also in relationship with the pattern of development within the wider streetscape. However, the front projection of the garage section creates an awkward appearance alongside the character of neighbouring dwellings.
- 6.15 The indicative site-plan demonstrates the prospective two-storey dwelling would extend across the breadth of the side garden and would by virtue of its extent, would fill in this plot reducing the apparent open and spacious character towards of the cul-de-sac, however, given the size of the plot and the position of the dwelling within the site, it would be comparable in size to neighbouring dwellings and would not result in a cramped form of development, when viewed from the street scene. Also, the proposal will utilise existing site levels the final and the building's final height would not have an adverse impact upon neighbouring properties or the character of the surrounding area. Existing timber fencing boundary treatment would be maintained in the proposal and the plot is to be subdivided by timber fencing, consistent with existing development in the surrounding area. The proposal is therefore considered to accord with the above policies.

Landscape and Trees:

- 6.16 Policy 31 of the HDPF states that '*development will be supported where it can demonstrate that it maintains or enhances the existing network of green infrastructure. Proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss, and ensures that the ecosystem services of the area are retained*'.
- 6.17 The principle arboricultural features at the site are the mature Oak and Ash trees located on the southwest boundary of the site. Both trees are readily visible from the public domain and contribute positively to the area's visual character. From the measurements taken on-site and from the proposed site plan drawing APL 01, it is apparent that the new building would not be located within the Root Protection Area (RPA) of either of these trees; and there are no direct impacts associated with the required excavations for the foundations for the new dwelling.
- 6.18 Two small low merit trees within the garden would need to be removed for the new dwelling to be built as proposed, the removal of these trees will not result in any significant harm to the visual

character of the area, and HDC Arboriculture does not have any objection to their removal. The proposal therefore accords with the above policy.

Residential Amenity:

- 6.19 Policy 33 of the HDPF provides that '*development will be required to ensure a design that avoids unacceptable harm to the occupiers/users of nearby property and land*'.
- 6.20 Paragraph 127(f) of the NPPF provides that '*planning policies and decisions should ensure a high standard of amenity for existing and future occupiers*'.
- 6.21 The distance between the window opens at first floor along the front elevation of the proposed dwelling and the rear amenity of No.37 Warren Drive to the north, is approximately, 9.85m at its longest and 7.70m at its shortest respectively.
- 6.22 Within the rear curtilage of No.37 Warren consist of a single storey outbuilding situated close to the north boundary of the site which provides some screening to amenity; however, it is recognised that the dwelling would introduce new outlook across the rear of the neighbouring amenity which may result in some loss of privacy compared to the existing arrangement. Given the two-storey nature of the proposal, some overlooking may be expected from the development. It is recognised that within the built-up boundary, there is an expectation for some mutual overlooking of amenity however, the resulting overlooking is not significant and would not detrimentally erode existing privacy given the distance and relationship between these properties.
- 6.23 23 Blakes Farm Road is situated to the southwest of the site and the existing boundary treatment consist of an established hedgerows approximately 3m in height together with close timber board fencing at 1.8m. The proposed dwelling would be 1.45m away from the shared boundary to the rear and 3m from the front. The proposed dwelling does not propose any first-floor window openings that could potentially overlook neighbour amenity on the west elevation. The east elevation of 23 Blakes Farm Road features no existing window openings. Given the siting and orientation of the proposed dwelling within the plot and the existing boundary treatment, it is considered that the existing amenity of 23 Blakes Road farm would not adversely be impacted and outlook from the rear elevation of the proposed dwelling would mainly be contained within the rear garden.
- 6.24 The application site forms part of the existing side and rear garden of 36 Warren Drive. The proposed dwelling would be located to the east of the existing creating new residential curtilage with no windows on the side elevations of the 36 Warren Drive (apart from the conservatory which will be demolished) facing directly onto the application site.
- 6.25 The proposal would result in an access in close proximity to the front doorway and porch at 36 Warren Drive. Whilst close to the front entrance, it would not block the access and highways have not raised any concerns regarding highway safety. There are also examples of hardstandings being close to doorways in the surrounding area (although most are used for parking areas). The applicant has indicated a driveway with a width of 3.6m. The dimensions shown on the plan have been checked on site (as outlined below). 3.6m is of sufficient width to allow safe access for cars to the parking area for the proposed dwelling without significant impact on the amenity of the host property.
- 6.26 Given the close relationship between the existing and proposed dwelling including neighbouring properties, as well as the modest size of the site, it is considered that the proposed dwelling would not experience an unacceptable sense of enclosure, to the detriment of the living conditions and amenity of future occupiers of the proposed dwelling.
- 6.27 On balance, the proposed development would be located within a relatively dense residential area where a degree of mutual overlooking is expected. While introducing an additional

residential receptor, it is considered on balance that the proposed development would not result in any further adverse harm to the amenities and sensitivities of neighbouring properties through overlooking, loss of privacy and loss of light. The proposal is therefore considered to accord with Policies 32 and 33 of the Horsham District Planning Framework (2015) in this regard.

The quality of the resulting residential environment for future occupiers:

- 6.28 Policy 10 of the Southwater Neighbourhood plan states that *'All new residential units must meet the 'Technical housing standards – nationally described space standard' (March 2015, as amended in May 2016) or subsequent updated standard set by Central Government.'* In addition, *all new residential units must have access to adequate private, or shared private, outdoor space to meet the needs of future occupants.*
- 6.29 The indicative floor plans of the prospective dwelling would satisfy minimum technically described space standards for a two-bedroom dwelling and would benefit from sufficiently proportionate external amenity spaces. It is considered that the proposed development provides adequate indoor living space for occupants and accord with policy 10 of the Southwater Neighbourhood plan.
- 6.30 The garden space is considered to be adequate to serve the dwelling, would not be dissimilar to other examples in the vicinity and would not be subject to overlooking harm beyond that of the existing situation on site. Consequently, it is considered the quality of the resulting internal and external living environment would be acceptable.

Parking, Highways Safety and Operation:

- 6.31 Paragraph 112 of the NPPF states that application for development should *'...create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.'*
- 6.32 Policies 40 and 41 of the HDPF states that development should *'provide safe and adequate access and parking, and facilities to meet the needs of anticipated users, with consideration given to the needs of cycle parking and electric/low emission vehicles.'*
- 6.33 Policy 14 of the SNP states that *'residential development must include provision for adequate off-road parking spaces in accordance with the following criteria: every dwellings will provide, for use associated with that dwelling, 2 parking spaces and one additional parking space for each bedroom over a total of three, with an upstairs study counting as a bedroom within its curtilage (or within the development). The proposed solution should avoid car parking dominating the street scene. Therefore, parking should be to the side rather than in front of the property. Where these criteria are not met applications should be refused'.*
- 6.34 The site is located in Southwater, within walking/cycle distance of local services and amenities. Bus stops on nearby Worthing Road provide regular services into Southwater and towards Worthing, Crawley and Horsham. Warren Drive is an un-classified road subject to a speed limit of 30mph, that benefits from unrestricted on-street parking opportunities, with such provisions within a reasonable walking distance from the site. The area is predominately residential which requires travelling to access amenities. Many of the dwellings within the cul-de-sac do benefit from at least 1no. off-road parking provision within the front garden however, it is acknowledged that there is existing parking pressure.
- 6.35 The proposed dwelling will make use of an existing shared access. No alterations are proposed to the existing vehicular access point on Warren Drive. From inspection of WSCC mapping, there are no apparent visibility issues with the existing point of access on to the maintained highway. In addition, the proposed development is not anticipated to result in a material intensification of movements to or from the site.

- 6.36 The applicant proposes a new driveway to serve the proposed dwelling, which is considered to be narrow in nature given its siting and orientation as it transverses the front garden of the existing dwelling.
- 6.37 It is noted that a number of objections have been received on the grounds of parking and access within the cul-de-sac. These objections raise concerns with the safety and practicality of the access in general, and also the impact the proposed dwelling would have on the off-street parking available within the cul-de-sac and along Warren Drive. Following a further site visit on 17.02.2023, measurements were carried out to confirm the details outlined in the proposed plans. The following measurements were recorded on site:
- Front porch - garage = 4.65m,
Front porch - edge of existing side paving = 3.88m and,
Front elevation - edge of the paving = 5.38m.
- 6.38 It is considered that the proposed 3.60m driveway could be accommodated within the area of the front garden proposed. The proposed driveway is also considered to be of sufficient size to accommodate three cars. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size and location would require two cars. A single integral garage has been proposed. The garage falls short of the minimum internal specifications for single-bay garages as stipulated by the LHA of 3m x 6m as set out in Manual for Streets (MfS). However, as three parking spaces have been provided within the proposed driveway, it is not essential that the integral garage be used for car parking. As such, the LHA is satisfied with the proposed amount of parking. On-site turning appears achievable, allowing cars to exit the site in a forward gear. A condition has been imposed seeking details for electric vehicle charging scheme for the new dwelling in accordance with policy 15 of the Southwater Neighbourhood plan.
- 6.39 Regarding the existing dwelling, an existing two-bay garage is to be retained, as well as parking bays fronting this garage. It should be noted that the WSCC Highways noted that the southern parking bay will likely not be able to be used for parking, due to the width of the driveway serving the proposed dwelling. However, the applicant subsequently provided vehicle tracking to demonstrate the accessibility of the proposed driveway. This demonstrates that a vehicle can navigate the proposed driveway whilst a vehicle is parked in front of the garage. Nevertheless, three car parking spaces can be utilised, and this is a suitable amount of parking provision for the existing dwelling in accordance with Policy 14 of the Southwater Neighbourhood plan.
- 6.40 WSCC Highways 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 111), and that there are no transport grounds to resist the proposal. The development is not considered to create a significant detrimental impact on the landscape and visual amenity of users of a Promoted Route as identified on the Neighbourhood Plan Policies Map. The proposal is therefore considered to comply with Policy 41 of the Horsham District Planning Framework (2015) and Policy 13, 14 & 15 of the Southwater Neighbourhood Plan.

Ecology:

- 6.41 Policy 25 and 31 of the HDPF seek to '*protect the natural environment and landscape character of the district. Protected habitats and species will be protected against inappropriate development, and opportunities to enhance green infrastructure and biodiversity will be encouraged*'.
- 6.42 The application site concerns an area of domestic garden with maintained lawn. There are no ecological designations contained within the application site, or within the near to medium vicinity of the application site. The application site, therefore, is not regarded as ecologically sensitive, and there is no evidence before the Authority that this serves as a commuting or foraging habitat

for protected species. The absence of pre-existing structures renders the site unlikely to host bats with the majority of planting not native to this location. In such circumstances it is not deemed necessary, reasonable or proportionate to require a full ecological recording to preclude the possibility of adverse impacts upon protected species. Subject to compliance with separate regulatory mechanisms under the Wildlife and Countryside Act 1981 in respect of breeding birds, it is not considered that the proposal would adversely impact upon protected species and habitats or prove contrary to the requirements of HDPF policies 25 and 31.

Climate change:

- 6.43 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*'.
- 6.44 Should the application be approved, the following measures to build resilience to climate change and reduce carbon emissions will be secured by condition:
- Water consumption limited in line with Water Neutrality Statement
 - Requirement to provide full fibre broadband site connectivity
 - Dedicated refuse and recycling storage capacity
 - Cycle parking facilities
 - Electric vehicle charging points

Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Water Neutrality:

- 6.45 The scheme is for a new 2 bed two-storey dwelling as an infill dwelling adjacent to a previously existing two storey dwelling. To address the Natural England Position Statement of September 2021, a Water Neutrality Strategy has been submitted with attached metered water bills (Lewis & Co Planning - September 2022, Appendix A: Water Bills, Appendix B: Water Efficiency Calculator – Existing Dwelling & Appendix C: Water Efficiency Calculator – Proposed Dwelling).
- 6.46 Appendix A of the submitted Water Neutrality Statement provides bills for the existing property, demonstrating an average daily water use of **428.25l/d**. Appendix B illustrates that through the use of rainwater harvesting and efficiencies, the existing water demand of the existing dwelling can be reduced to 90lpd. Applying the Council's average occupancy rate (2.86 people), this would result in an overall water demand of **257.4l/d** (a 170.85l/d reduction).
- 6.47 Similarly, through the use of efficiencies and water harvesting for the proposed dwelling, a water demand of 89.4lpd has been demonstrated. Applying the average occupancy of a two-bed dwelling (1.88 people), the overall water demand for the proposed dwelling can be calculated as **168.1l/d**.
- 6.48 Officers have undertaken an appropriate assessment of the proposals including mitigation. Natural England have provided a consultation comment of no objection subject to appropriate mitigation being secured. Therefore, with the above efficiencies in mind, the combined water demand from both dwellings would total **425.5l/d**, which is lower than the existing metered water demand. As such, Officers are satisfied that the proposed offsite offsetting measures to the existing dwelling would result in a water neutral development.
- 6.49 With a suitable condition of approval to secure the above mitigations it is considered that the grant of planning permission would not 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.

Other Matters:

Fire appliance

- 6.50 WSCC Fire and Rescue reviewed the plans for the proposed dwelling and require evidence to show that access for a fire appliance to the property can be achieved to within 45 metres of all points inside the dwelling house in accordance with Approved Document B Volume 1 2019 Edition B5 section 13. This is to be measured along the hose lay route, not in a direct line or arc measurement. Any areas not within the 45 metre distance will need to be mitigated by the installation of domestic sprinkler or water mist system complying with BS9251 or BS8458 standard.

PD Rights

- 6.51 Given the wider site context and sensitives to design, amenity, scale and massing, it is considered appropriate that a condition restricting permitted development rights for the proposed dwelling falling within Classes A, AA, B, C, D and G of Part 1 of Schedule 2 of the General Permitted Development Order (2015) shall be imposed on the scheme. This is to ensure that any further changes to the design, scale, height and massing are considered under a subsequent planning application in the interest of visual amenity and to retain the existing character in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Conclusions:

- 6.52 The application site is located within the built-up area of Southwater. The principle of development is established by Policy 3 of the HDPF which provides that development within defined built-up areas will be permitted, provided that such development is of a scale and nature which preserves the settlement characteristics of its respective setting. The site therefore is deemed to be a sustainable location for residential development and it is considered that the provision of a single dwelling in this location would benefit from the Authority's support in principle, subject to all other material considerations. The design of the proposed dwelling on the site is considered acceptable with reference to the requirements of policies 25, 32 and 33 of the HDPF. With appropriate recommended conditions as listed below it is considered that the development would avoid unacceptable harm to the amenities of neighbouring property compliant with Policy 33 of the HDPF and the proposal would provide adequate parking provision, and is not considered to result in a material impact to road safety in accordance with HDPF policy 41. Water neutrality has been demonstrated with a sufficient degree of certainty and with the agreement of Natural England, thereby avoiding adverse impact on the Arun Valley SAC/SPA and Ramsar sites. For these reasons, the proposal is considered to accord with all relevant local and national planning policies.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide	127.70	162.72	127.70
		Total Gain	290.42
		Total Demolition	0

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

7. RECOMMENDATIONS

To approve planning permission subject to the following conditions:

Conditions:

1 Plans Condition.

- 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 **Pre-Commencement Condition:** The development hereby approved shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following relevant measures:

- i. Site working hours and a named person for residents to contact;
- ii. Detailed Site logistics arrangements;
- iii. Details regarding parking, deliveries, and storage;
- iv. Details regarding dust and noise mitigation measures to be deployed
- v. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network;

The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP for the related phase, unless the written consent of the Local Planning Authority is received for any variation.

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).

- 4 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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).

- 5 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

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).

- 6 **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 required by the approved water neutrality strategy (received 04.10.2022) 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 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 7 **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (received 04.10.2022). 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 that dwelling has 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 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

- 9 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the window bathroom window at first floor on the Northeast Elevation on Plan DWG No. APL 02 REV A has been fitted with obscured glazing. No part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

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

10 **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

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).

11 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times.

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

12 **Pre-Occupation Condition:** No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

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).

13 **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).

14 **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 megabytes 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).

- 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:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, AA, B, C, D and G of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and to retain the existing character in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 17 **Regulatory Condition:** The dwelling hereby approved shall achieve M4(2) of the optional requirements in the Building Regulations.

Reason: To ensure the new dwelling is fit for all ages in accordance with Policy SNP9 of the Southwater Neighbourhood Plan and Policy 32 of Horsham District Planning Framework (2015).

Background Papers: