



TO: Planning Committee North

BY: Head of Development and Building Control

DATE: 6th June 2023

DEVELOPMENT: Conversion of existing 8-bedroom detached dwelling into 4no 1-bedroom self-contained flats for supported living for adults.

SITE: Acacia House, 110 Manor Fields, Horsham, West Sussex, RH13 6SG

WARD: Roffey South

APPLICATION: DC/23/0338

APPLICANT: **Name:** Mr Chris George **Address:** 1 Castlefield Court Church Street Reigate RH2 0AH

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.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 This application seeks planning permission to convert an existing eight-bedroom dwelling into four one-bedroom self-contained flats for supported living for adults (C3 use). Each flat would have a living room, kitchen, bedroom and wet room/ bathroom. Flats 1 and 3 would share the existing front entrance with the communal entrance hall leading to flat 1 at ground floor Flat 3 at first floor. Flats 2 and 4 will have their own separate private entrances with flat 2 accessed from the front elevation and flat 4 the southern side elevation. A staff area consisting of an office and staff WC would also be accessed via a new door on the southern elevation. The Design and Access Statement anticipates that residents would be supported by four staff during the day and 2 overnight staff.

1.3 Some minor elevation amendments are proposed including the removal of a garage door and the replacement of existing windows throughout with double glazed, aluminium framed windows with white polyester powder coating and replacement composite doors. Photovoltaic panels are proposed to be installed on the southwest and southeast elevations of the dwelling.

- 1.4 To the front of the dwelling it is proposed to extend the existing brick paved driveway into the existing grassed area to provide additional parking/ turning space for 4-5 cars. To the rear of the property, one of the existing sheds will be removed and a bin store will be created.

DESCRIPTION OF THE SITE

- 1.5 Acacia House (110 Manor Fields) is located within the Built-Up-Area boundary of Horsham on the junction of Manor Fields with Harwood Road. To the south of the site across the Harwood Road is Owlbeech and Leechpool Woods which fall within the High Weald Area of Outstanding Natural Beauty. To the east of the site is the Harwood Road allotments. Within the site and straddling the neighbour at 108 Manor Fields to the north is a Tree Preservation Order that covers a group of 13 boundary trees. The surrounding area consists of other residential dwellings of varying sizes.
- 1.6 The site consists of an extended detached residential property and curtilage with private rear garden and front driveway. The property has been extended to provide 8 bedrooms.

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:

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 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 18 - Retirement Housing and Specialist Care
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 39 - Strategic Policy: Infrastructure Provision
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 4.3 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.

Neighbourhood Plan:

No relevant neighbourhood Plan.

Planning Advice Notes:

Facilitating Appropriate Development
Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/10/2665	Detached double garage ancillary to main dwelling	Application Refused on 16.02.2011
NH/46/95	Two-storey extension to provide granny annexe Site: Acacia House 110 Manor Fields Horsham	Application Permitted on 21.06.1995

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

None received

OUTSIDE AGENCIES

WSCC Highways: No Objection

Southern Water: No Objection

Natural England: No Objection subject to appropriate mitigation being secured.

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process. Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given. You, as the competent authority, should ensure conditions are sufficiently robust to ensure that the mitigation measures can be fully implemented and are enforceable in perpetuity and therefore provide a sufficient degree of certainty to pass the Habitats Regulations.

PUBLIC CONSULTATIONS

North Horsham Parish Comments: Objection

Inappropriate development for the location and concern over the proposed plan for parking

Member Comments:

None received

Representations

Eleven letters of objection have been received from eight local addresses. These objections are summarised as:

- Highways safety concerns for road users and pedestrians. Concerns in relation to road entrance, safety and capacity. Yellow lines should be applied at the road junction so drivers can see oncoming vehicles.
- Pressure on on-street parking.
- Non- Domestic Use. With the number of staff proposed is this actually a non-domestic use with 10 plus employees.
- Difficult to believe this will be water neutral
- Quiet residential area- noise concerns and out of character. Other more appropriate sites in the District
- Cumulative impact of house conversions in the area as a result of this being allowed. Impact on cars, noise, pollution, extra policing
- Over development
- Changing demographics of the area.

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

- 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 not be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Principle of Development:

- 6.1 Policy 3 of the 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'*.
- 6.2 Policy 18 of the HDPF states that *'proposals for development which provide retirement housing and specialist care housing will be encouraged and supported where it is accessible by foot or public transport to local shops, services, community facilities and the wider public transport network'*.
- 6.3 Policy 42 Strategic Policy: Inclusive Communities of the HDPF advises that positive measures which help to create a socially inclusive and adaptable environment for a range of users to meet their long term needs will be encouraged and supported. Particular account will be taken of the need to address the requirements stemming from (amongst others) people with additional needs, including the disabled or those with learning disabilities.
- 6.4 The application site lies within the built-up area of Horsham, the main town within the District, within a sustainable location close to local facilities and services and the wider public transport network. The site is located within a five minute walk of the shopping parade on Crawley Road where there is a Co-op, a Post Office, a Chemist and other community facilities including the Roffey Millennium Hall. Littlehaven Station is a 17 minute walk away (approx.) and Crawley Road and Harwood Road are both on bus routes to Horsham and Crawley Town Centres,. It is also noted that Chesterton Court is situated nearby, a supported living development for elderly residents.
- 6.5 It is noted that the applicants (Active Prospects) are a Registered Community Benefits Society which enables people with learning difficulties, mental and physical health needs to live in their own home within the community with support provided to meet the residents needs on an individual basis. The flats will meet the NHS 'Transforming Care' programme's aim of helping people to leave institutions, and to work with them in their own residence to reduce the need for inpatient services and out-of-area placements. Each resident will have their own tenancy agreement and will have funding for personalised support.
- 6.6 The provision of three additional dwellings through the conversion of one large dwelling to four dwellings would be appropriate to the nature and scale of the settlement and is therefore acceptable in this location, subject to all other material considerations. This is considered to be the case whether for 'supported living' or 'independent living' in this location.
- 6.7 In addition the application would propose a net gain of 3 new dwellings which would be considered to contribute towards the Council's identified housing shortfall through a previously unidentified windfall site.
- 6.8 In principle it is not considered necessary to add a condition to limit the use of the flats for supported living accommodation only, given the site's sustainable location and overall compliance with the development plan if approved for any type of C3 residential accommodation.

Design and Appearance:

- 6.9 Policy 32 and 33 of the HDPF seeks to ensure that the development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seeks 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.

- 6.10 Acacia House sits in a prominent location in the streetscene at the entrance to Manor Fields. The property has already been extended and appears as a larger than average property when compared to other properties as you move along the street. The external amendments to the property would be minimal and maintain the existing character of the property without increasing its size of visual impact within the streetscene. The most visible external amendments would include the addition of another front door to the front elevation, removal of the existing garage door and the replacement of all windows and doors. The proposal also includes the installation of solar panels to the roof.
- 6.11 The driveway would be extended slightly into the existing grassed area but maintain its sweeping shape and existing access point. The impact of this small extension to the front driveway area would be minimal within the streetscene. Bin and cycle storage would be suitably provided at the rear of the site.
- 6.12 The proposal is therefore considered to represent a series of modest amendments to the appearance of the existing property. with these considered to be of a design, form and scale which is appropriate to the residential character and appearance of the existing dwelling and wider streetscene. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

Neighbour Amenity Impacts:

- 6.13 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.
- 6.14 Concern has been raised in relation to the increase in noise and disturbance from the conversion. Whilst it is acknowledged that there will be an additional three residential units on the site, due to their size this is unlikely to yield a significant number of additional residents on the overall site which would be out of keeping with the area. The subdivision of the property within this residential location would not therefore, as a matter of course, create significant potential for harmful levels of noise or disturbance that would warrant the refusal of planning permission.
- 6.15 It is not considered that the use of the property would be significantly materially different to the existing residential use, and while noted that associated staff movements and activities has some potential to result in additional activity and movements, it is not considered that this would result in such degree to be out of character with the residential locality. The proposal seeks an unrestricted C3 use which reduces the number of bedrooms within the building from 8 down to 4. It is acknowledged that residents have raised concerns in relation to the amount of visitors that the proposed use will generate. However, as the number of future residents will be so low it is unlikely that there would be any detrimental amenity impact from visiting family and carers above and beyond the existing arrangement.
- 6.16 It is considered that the siting, scale and nature of the proposed alterations would not result in any unacceptable harm to neighbouring amenity, with the resulting relationship between properties largely reflecting the existing arrangement, which would not be unusual or unexpected in an established residential location such as this.
- 6.17 The relevant standard for this type of single occupancy unit as set out in the Nationally Describer Space Standards is a minimum gross internal floor area of 39m². This is achieved on all units which range from 42.5m² to 57m². Each flat has good access to natural light and ventilation through the provision of good sized windows to all habitable rooms and would have access to the large rear garden.

Highways Impacts:

- 6.18 Policies 40 and 41 of the HDPF states that development should provide a safe and adequate access, suitable for all users.
- 6.19 Residents have raised concerns in relation to the capacity of the site to cater for the parking demand of the development as well as on street parking capacity and safety.
- 6.20 The proposal is essentially for four one-bedroom residential flats. The West Sussex Parking Calculator calculates the parking requirement on the site to be 0.9 spaces per flat, plus 0.2 spaces per dwelling for visitors. This totals 4.4 spaces. The site plan shows that this can easily be accommodated within the hardstanding to the front of the property which shows capacity for 4-5 vehicles.
- 6.21 However, the intended use of the flats is as supported living for adults therefore the prospective residents will be unlikely to have their own vehicles given their needs. The parking area to the front of the site would therefore be used by the four onsite staff and visitors to the flats instead. In this regard the 4-5 spaces available on the site will be sufficient to cater for this demand, with further on-street parking available if needed.
- 6.22 Whilst it is understood that existing residents have concerns around the existing parking arrangements and safety of the street, it is not considered that this development would significantly impact on the amount of cars parking on the street such as to create a highway safety or capacity issue. Further, any demand for street parking resulting from this proposal would not be of a frequency which would be considered likely to harm neighbouring amenity, over and above the existing situation.
- 6.23 The proposal includes a designated cycle shed (re-use of existing) and 2x EV charging points.

Water Neutrality

- 6.24 The application site falls within the Sussex North Water Supply Zone as defined by Natural England and which includes supplies from groundwater abstraction which cannot, with certainty, demonstrate no adverse impacts upon the defined Arun Valley SAC, SPA and Ramsar sites.
- 6.25 An advice note from Natural England (September 2021) 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.
- 6.26 The proposal falls within the Sussex North Water Supply Zone and would result in a greater level of water abstraction. The baseline figures have been provided as 682 litres per day (249m³ per year) and based on evidenced water bills from 5 October 2021 to 31 August 2022. The submitted Water Neutrality Statement includes efficiencies to fixtures and fittings including reduced flow taps, dual flush WCs, no baths, and low water usage washing machines and dishwashers to reduce per person water consumption to 104.7 l/p/day. This equates to 418.8 l/day for the four single-occupancy flats. The Statement also calculates the water consumption from the onsite and visiting staff based on standard office consumption rates of 45 l/p/day, equating to a further 234 l/day consumption. The overall site consumption is therefore calculated to be 653 l/day (238.4m³ per year), below the site's existing annual water consumption.

- 6.27 As per the requirements of s63 of the Habitat Regulations, the Council has consulted Natural England as the relevant statutory body when undertaking an appropriate assessment of the proposals. Having considered the Council's appropriate assessment, Natural England concurs with the conclusion that the development would be water neutral. In accordance with the requirements of the Habitats Regulations an appropriate assessment has been completed which concludes that subject to securing the above mitigation, the development proposals would not result in an adverse impact on the integrity of the Arun Valley sites, in accordance with Policy 31 of the HDPF and paragraph 180 of the NPPF.

Conclusions:

- 6.28 The proposed development is considered to accord with the relevant local and national policies. The conversion will provide a net gain of three additional units towards the Council's housing land supply, delivery smaller units that are likely in demand and can be used as specialist housing. The proposal is considered to have no substantive amenity impacts on local residents, would not harm highway safety, would provide for adequate parking provision, and is water neutral. The application is therefore recommended for approval.

7. RECOMMENDATIONS

Conditions:

1 Plans list

- 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:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.
- i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
 - ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities
- The approved details shall be adhered to throughout the construction period.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality statement (Doherty Energy received 17th April Ref E1303-WNS-03). 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).

- 5 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that dwelling have been implemented in accordance with the approved details as shown on plan MFS-AHP-0-XX-SI-A-0404 P01 Proposed Site Plan and shall be thereafter retained as such.

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).

- 6 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been provided within the rear garden for that dwelling as shown on MFS-AHP-0-XX-SI-A-0404 P01 Proposed Site Plan. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

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).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until 2x fast charge electric vehicle charging point have been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for that dwelling in accordance with drawing number MFS-AHP-0-XX-SI-A-0404 P01 Proposed Site Plan. These facilities shall thereafter be retained for use at all times.

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

- 9 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the Application Form received 23.02.2023.

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).

- 10 **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 minimum 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).