Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1469
13 Nelson Road, Horsham, West Sussex, RH12 2JE

DESCRIPTION:
Replacement of existing fence panel on the west side of the property boundary and a brick wall with sliding gate.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 19: Development Quality
Policy 20: Development Principles

Neighbourhood Plan:
Horsham Blueprint Business Neighbourhood Plan 2019-2036
Policy HB3: Character of Development
Policy HB4: Design of Development

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.

Parish Comments:

None received

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.

Policies 32 and 33 of the HDPF seek to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing and appearance of development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

Policy HB3: Character of Development of the Horsham Blueprint Business Neighbourhood Plan states that – “Development is expected to preserve and enhance the Character Area in which it is located. The design of new development should take account of the local context and reflect the character and vernacular of the area, using architectural variety in form and materials, in order to avoid building design that is inappropriate to the Plan area. Innovation in design will be supported, however, where this demonstrably enhances the quality of the built form in a character area”.

Policy HB4: Design of Development of the Horsham Blueprint Business Neighbourhood Plan states that – “Development is expected to demonstrate a high quality of design, which responds and integrates well with its surroundings”

The application seeks planning permission for the replacement of existing fence panel on the west side of the property boundary and a brick wall with sliding gate.

The proposed replacement boundary treatment would sit along the northern side boundary of the property. This side boundary directly fronts Nelson Road that runs along the northern side of the site and there for is prominent in the streetscene. The existing 1.8m high fence is in a poor condition and detracts from the appearance of the site. The new wall would sit marginally would replace the existing timber creating a larger enclosed side garden to the property.

The current fence would be replaced with a low brick built wall with brick pillars, with metal fencing set between the brick pillars. While it is noted the proposed metal fence would be visible from a public vantage point, it is noted there are a number of comparable arrangements to properties elsewhere in the vicinity, with a mix of brick built walls, part brick/metal fencing and timber fencing. The brickwork

would match that of the existing dwelling, there are also examples of brick boundary walls similar to this proposal. The replacement wall is therefore considered to be of an appropriate scale and design commensurate to the character of the area, and as such would not appear unduly prominent or intrusive.

The proposed boundary wall and fence is set an appropriate distance from the adjacent properties to the north and west such that it would not result in a harmful impact in terms of loss of light, privacy outlook or an increased sense of enclosure.

The boundary treatment is therefore considered to be of an appropriate design, form and scale appropriate to the character and appearance of the existing dwelling and would not harm the character or appearance of the wider area or the amenities of adjacent properties, in accordance with policies 32 and 33 of the HDPF.

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.

It is considered that the siting and layout of the proposed extension and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Water Neutrality

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

Conditions:

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/24/1469

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Photos		NONE	24.09.2024
Photos		NONE	24.09.2024
Location plan		NONE	24.09.2024
Supporting Statement	Planning	NONE	24.09.2024
Supporting Statement	Planning	NONE	24.09.2024
Elevation plan	Existing	01	24.09.2024
Elevation plan	Proposed	02	24.09.2024
Elevation plan	Existing side	03	24.09.2024
Elevation plan	Proposed side	04	24.09.2024
Floor plan	Existing	05	24.09.2024
Floor plan	Proposed	06	24.09.2024
Photos		NONE	24.09.2024

DELEGATED

Case Officer sign/initial Marie Riggs Date: 11.11.2024

Authorising Officer sign/initial RHERMITAGE Date: 19.11.2024