Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1124
Triangles, Mill Lane, Ashington, West Sussex, RH20 3BX

DESCRIPTION:
Relocate existing fence 2 metres north to facilitate a change of use from residential amenity land to enlarge the size of the garden and residential curtilage.

RELEVANT PLANNING HISTORY:
None

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

Ashington Neighbourhood Plan (ANP) 2019 – 2031
ASH1 - Overall Spatial Strategy for Ashington

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)

Community Infrastructure Levy (CIL) Charging Schedule (2017)

Parish Design Statement:

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:
None

PUBLIC CONSULTATIONS:

Representations:
1 letters of Objection has been received from 1 address, objecting to the application on the following grounds:

- Highway Access and Parking
- Loss of General Amenity
- Other
- Trees and Landscaping

2 letters of Support have been received from 2 addresses.

Parish Comments:
Ashington Parish Council: Objection

1. Land ownership
The property boundary as shown on the HDC planning website does not appear to include the land that is proposed to be enclosed by this application which appears to form part of an unadopted section of highways (similar to the two verges opposite). The verge, though not a made footpath, provides continued pedestrian access from the footpath on the north side of Mill Lane. The parish council objects to the enclosure of this verge which does not appear to be the applicants land nor is there evidence of the applicant having permission / consent to enclose the land.

2. Safety Concerns
The proposed application seeks to move the existing boundary fence 2 meters closer to the highway and removing any verge between the boundary and the highway. It also proposes to retain a pedestrian access that will result in users stepping out from behind a high fence directly into the roadway.

This raises 2 areas of concern -

- Obstructed view for drivers entering and exiting the road
- Residents stepping from a gateway into the road with risks to both residents and drivers

Although the roadway is unadopted, it forms a key link between 2 adopted routes (Mill Lane and Fairfield Road) attracting a higher volume of traffic on this section than would normally be expected on an unadopted road of this nature. Given the poor state of the road surface (unmaintained) drivers tend to drive erratically to avoid potholes adding to the risk. Bringing the obstructed access closer to the road presents an increased hazard to pedestrians and road users.

3. Street Scene

The removal of existing shrubs and the verge is considered to be detrimental to the street scene and brings the boundary fence forward of the natural sight lines along the road the proposed mitigation if adding climbers does little to mitigate this and could add to the safety concerns outlined above as these mature and overgrown the highway.

Member Comments:
None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

This application is for relocation of existing fence 2 metres north to enlarge the size of the garden at Triangles, Mill Lane, Ashington. Triangles is a chalet bungalow property that sits away from the corner where Mill Lane splits in twain.

Design and Appearance:

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 sky-line and important views.

The proposal seeks to extend the existing fence line to the north by 2m and run the existing width of the fence line. The proposal enlarges the garden by around 47m^2 and would represent a minor change in abstract in terms of external design. The street scene would also see a limited change bar the massing which comes further forward into the soft edge the existing greenery provides to the road. Whilst this loss is unfortunate, it is considered that the greenery is not of particular streetscape value and therefore the loss would not be considered detrimental to the character of the area. It is considered there are example of fences, though not at full height, being built up to the highway on Mill Lane.

The proposal is considered to be of a design, form and scale which is appropriate to the character and appearance of the existing dwelling, and which would not harm the character or appearance of the wider area. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

Residential 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 fencing enlarged is considered to have only minimal visual amenity impact. It is considered that there would be a loss of greenery which contributes to a green appearance and a soft edge to Mill Road however, it is not considered that the loss of this area to fencing detrimentally affects the residential amenity to a point which warrants refusal. The existing green does not serve as footpath

and is considered in effect to already exist as a small, front facing garden strip of Triangles. It is considered the footpath exist is on the opposite side of the road is of higher residential amenity value and is bounded with amenity grassland which retains a green element and open nature to Mill Lane. In addition the applicant has noted intention to plant greenery to the fence.

Whilst there is a loss of greenery and soft edge, it is considered that the proposal does not result in an unacceptable harm to neighbouring amenity.

Highways Impacts:

Policy 40 of the HDPF states for the integration of a sustainable transport system. In order to manage the anticipated growth in demand for travel, development proposals which promote an improved and integrated transport network, with a re-balancing in favour of non-car modes as a means of access to jobs, homes, services and facilities, will be encouraged and supported. Of particular relevance is bullet point 9 which states "[development will be supported if it] provides safe and suitable access for all vehicles, pedestrians, cyclists, horses riders, public transport and the delivery of goods".

It is not considered that the proposal has an undue impact on highways. Whilst the fence line moves closer to the edge of the road to abut Mill Lane to the north, it is not considered this would affect highway safety. When approaching Triangles travelling west from the roundabout, there may be a slight increase in perceived build owing to the fence, however it is not thought that those wishing to turn onto this part of Mill Lane would be unduly affected from viewing oncoming traffic due to the way the vehicles turn into the road. Those travelling from the east of Mill Lane to then sharply turn left onto Mill Lane where Triangle sits already must slow due to the hairpin nature of the corner. Furthermore, adequate space would be maintained between the junction and the proposed extended curtilage, thus maintaining reasonable visibility. It would be considered the fence would have a negligible impact on viewing traffic whilst cornering the hairpin. In addition, the fence does not extend to the west and therefore the proposal does not decrease the spacing between the existing path on the corner or affect the existing arrangement when approaching from the east.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

Water Neutrality is not considered relevant to this application.

Other Matters:

Horsham District Council recognises representations received following the submission of this application. This application is for forwarding of the fence line to enclose the area as garden space as opposed to amenity space. The submitted plans are considered satisfactory to allow an assessment to take place. Whilst the fence line moves forward including the fence gate, it is considered this would not represent an undue highway concern. The gate is shown on plans to open into the garden and not out into the road. As considered earlier, it is not thought that traffic using the highway itself is unduly affected by the increased footprint of the fence line as reasoned in the highways section of this report. This is as those approaching from the west already have a good view of the road and those navigating the hairpin already approach at a slow speed which is considered to be a limited impact on visibility for those negotiating the corner. Though the soft edge / verge would be lost, it is considered that a

footpath is on the opposite side which is much safer for those walking, as an alternate, formal route for pedestrian traffic.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

- The development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Conclusions:

It is considered the proposal satisfies the policies above and is 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 and approved plans.

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/25/1124

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Photos		NONE	08.07.2025

Block plan		NONE	08.07.2025
Location plan		NONE	23.07.2025
Plans	Existing	NONE	24.07.2025
Plans	Proposed	NONE	24.07.2025

DELEGATED

Case Officer sign/initial JBurrowes Date: 04/11/2025

Authorising Officer sign/initial RHERMITAGE Date: 09.12.2025