Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1373
The Stout House , 29 Carfax, Horsham, West Sussex, RH12 1EE

DESCRIPTION:

Replacement ground floor front elevation windows and redecoration to shopfront.

RELEVANT PLANNING HISTORY:

DC/20/0298	Erection of 1x non-illuminated fascia sign in mosaic tiles.	Withdrawn Application on 08.04.2020
DC/20/0297	Apply new glazes ceramic tiles to front elevation at ground floor level. Remove existing lanterns and fit new lanterns in same position. Install new lanterns to either side of door on side alley elevation. Install new 100mm square timber posts to support festoon lighting in side alley. Paint walls above tiles at ground and first floor levels. New fascia sign in mosaic tiles.	Application Permitted on 24.04.2020
HU/142/95	Installation of signs and lanterns Site: The Stout House 29 Carfax Horsham	Application Permitted on 10.07.1995
HU/115/95	New toilet cellar extension,alterations to first and ground floor, front elevation and affixing of advertisement(listed building consent) Site: The Stout House 29 Carfax Horsham	Withdrawn Application on 31.05.1995
HU/113/95	New toilet block and cellar extension with ground and first floor alterations and new front elevation Site: The Stout House 29 Carfax Horsham	Application Permitted on 19.06.1995
HU/279/80	Coloured fairy lights. (From old Planning History)	Application Refused on 10.12.1980

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 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres
Policy 13 - Town Centre Uses
Policy 14 - Shop Fronts and Advertisements
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction

Policy 42 - Strategic Policy: Inclusive Communities

Horsham Blueprint Business Neighbourhood Plan (HBBNP) 2019 - 2036:
Policy HB3 - Character of Development
Policy HB4 - Design of Development
Policy HB7 - A Welcoming Public Realm (Advertisements)
AIM2 - Conserving Heritage Assets

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 2.9 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.

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 4: Horsham Town
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 17: Green Infrastructure and Biodiversity
Policy 18: Local Green Space
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 22: Shop Fronts and Advertisements
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Strategic Policy 30: Enhancing Existing Employment
Strategic Policy 35: Town Centre Hierarchy and Sequential Approach
Strategic Policy 36: Town Centre Uses

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:

INTERNAL CONSULTATIONS

HDC Conservation: No Objection

The proposed alterations will preserve the character of the conservation area.

PUBLIC CONSULTATIONS:

Representations:

None recieved

Parish Comments:

Horsham Denne Parish Council: Objection

Horsham Denne NC has the following comments and queries:

1) Our main objection is to the bi-fold windows which will protrude beyond the building line when open and could be dangerous to passing pedestrians, especially if visually impaired. HDNC considers that windows should open inwards.
2) HDNC disagrees with paragraphs 4.8 and 4.9 of the Design and Access Statement as we consider the building is an important part of the character of the Carfax conservation area.
3) What is the proposed colour of the window frames as this is not stated on the application form or the drawing?
4) Is it possible to send us an actual sample of the Dublin Red paint colour proposed for the facade, as colours vary on different computers? It appears to be a very dark brown.

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

Design and Appearance:

Policy 14 of the HDPF states that applications for new, replacement and temporary shop fronts, including fascias, will be supported where the proposal respects the architectural styles, character and form of the buildings or location of which they form a part, including appropriate use of materials, colours and illuminations.

Policy 32 and 33 of the HDPF seeks 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 and HB4 of the HBBNP cover the design and character of development within Horsham which is supported by the neighbourhood councils of Forest, Denne and Trafalgar. It advocates for high quality design and construction that integrates with its surroundings whilst minimising impact on natural environments. It should reflect the character and architectural forms of the area in order to protect against inappropriate design.

Policy HB7 of the HBBNP states proposals that have the potential to provide public realm improvements should consider and address those opportunities as part of their scheme. In particular, proposals should seek to:

- Reinforce the concept of legible “character areas” / “quarters” with distinct identities, as described in the Town Centre Vision;
- Within the Plan area, proposals for an advertisement and/or signage will be supported where it would not be obtrusive in appearance, cause visual clutter or lead to a proliferation of signs, appear dominant or overbearing in the street scene, or cause significant harm to the appearance of any building on which it would be displayed because of its siting, size, design, illumination, construction or materials.

AIM2 of the HBBNP is to protect and conserve the historical interest and character of Horsham. Horsham has many buildings of historic interest and conservation areas which purpose is to protect buildings from being harmed by development that is not in character to the area.

The proposed development is for Replacement ground floor front elevation windows and redecoration to shopfront at The Stout House, 29 Carfax, Horsham. The proposal sees the ground floor elevation windows changed for 3 pane bifold windows. The exterior of the Stout House is also to be painted ‘Dublin Red’.

It is recognised that the Neighbourhood Council have objected to the proposal on the grounds of the bi-fold windows and the proposed colour of the shop front. It is noted that the wider street scene is characterised by a mixed palette of colours and shop front styles, which provides opportunity for a variety of colours and finishes. The sample colour provided within the plans is considered acceptable, where similar bi-fold windows have been approved within other buildings, most notably The Red Deer.

For these reasons, the proposal would be a clearly subservient addition and is considered to be of a design, form and scale which is appropriate to the character and appearance of the existing building, 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.

Heritage and Archaeology:

Policy 34 of the HDPF seeks to conserve, sustain and protect the cultural and heritage assets that are within the district. It ensures that development within conservation areas is consistent with the special character of buildings and areas of which they are located within. Areas and buildings that fall under conservation, Listed Building designations or are approximate to them will be protected from inappropriate development which will harm the character and setting of the area / building.

AIM2 of the HBBNP is to protect and conserve the historical interest and character of Horsham. Horsham has many buildings of historic interest and conservation areas which purpose is to protect buildings from being harmed by development that is not in character to the area.

Following consultation with the Design and Conservation Officer, thee proposed alterations are considered to preserve the character of the Conservation Area.

Amenity **Impacts**:

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 works 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 site 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 (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

Other Matters

The Council recognises views raised by the Parish Council in respect the safety of the bi-fold doors. It is not considered that the introduction of this feature would justify a reason for refusal, where appropriate site management would address the matter.

Conclusions:

The application is considered to abide by the policies laid out 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/24/1373
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Existing Elevations	2CD40517-01 Rev A	09.09.2024
Elevation & Floor plan	Proposed Elevations	2CD40517-02	09.09.2024
Location & Block plan	Site & Location Plan	2CD40517-03	09.09.2024

DELEGATED

Case Officer sign/initial JBurrowes Date: 06.11.2024

Authorising Officer sign/initial TDale Date: 11.11.2024