Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1080
2 Jessamine Terrace , Two Mile Ash Road, Barns Green, West Sussex, RH13 0JQ

DESCRIPTION:

Construction of 2x dropped kerbs.

RELEVANT PLANNING HISTORY:

DC/08/1641	Formation of double vehicle crossover and dropped kerbs to serve 2 and 3 Jasmine Terrace	Application permitted on 19.09.2008

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 25- Strategic Policy: The Natural Environment and Landscape Character
Policy 31- Green Infrastructure and Biodiversity
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles
Policy 40- Sustainable Transport
Policy 41- Parking

Bans Green and Itchingfield Neighbourhood Plan:
Itchingfield Parish have produced a neighbourhood plan which have been subject to successful Examination but cannot proceed to Referendum because of the legal requirements in relation to Water Neutrality and the Habitat Regulations.
Policy 12 – Design of Housing
Policy 15 – Off-Street Parking

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure
Itchingfield Neighbourhood Plan and Water Neutrality

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.

WSCC Highways: Comment

The site is located on Two Mile Ash Road, a C-classified road subject to a speed restriction of 30 mph. From inspection of the plans, a 7.885m wide dropped kerb is proposed fronting the site to serve the two properties. From inspection of WSCC mapping, there are no apparent visibility concerns with the proposed point of access on Two Mile Ash Road. The proposed access works will be subject to a licence obtained through the local WSCC Highway Area Office and constructed to a specification agreed with the local WSCC Highway Area Engineer.

The proposed hardstanding appears of suitable size to provide an off-street parking space for each of the dwellings. On-site turning does not appear achievable, so cars may have to reverse out of the site – However, this is not anticipated to give rise to an adverse highway safety impact, owing to good forward visibility in this location. Neighbouring properties operate similar access arrangements with no known highway safety concerns.

In summary, the LHA 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 115), and that there are no transport grounds to resist the proposal.

Parish Comments:

Itchingfield Parish Council recommends this planning application for approval.

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

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.

Character and Appearance

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 12 of the draft Barns Green and Itchingfield Neighbourhood Plan states that development proposals shall, where possible and consistent with other policies in this Plan, must be of a high quality design and layout; contribute positively to the private and public realm to create a sense of place; respect the character and scale of the surrounding buildings and landscape; and create safe and accessible and well connected environments.

Crossovers are not uncommon within Jessamine Terrace. The addition of a crossover at no. 2 and 3 would not be out of keeping with the area. The proposal would be therefore be considered to be of a design, form and scale which is appropriate to the character and appearance of the street scene, 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.

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.

Policy 12 of the draft Barns Green and Itchingfield Neighbourhood Plan states that development proposals shall protect the amenity of nearby residents and occupants of new dwellings.

It is considered that the nature, siting and layout of the proposed dropped kerbs 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 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Highways Matters:

The Local Highway Authority has not raised an objection to the proposal and it is not anticipated that the proposal would have an adverse impact on the safety and function of the public highway network.

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 and finishes of the development hereby permitted shall match in type, colour and texture those of the existing kerb unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

Additional information about the licence application process can be found at the following web page: http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways-licence/

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/24/1080
(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
Floor plan	Existing Ground Floor Plan and Proposed Dropped Kerb	C00	15.07.2024
Site plan	Existing Site Plan	A02	15.07.2024
Location plan	Site Location Plan	A01	15.07.2024

DELEGATED

Case Officer sign/initial Alice Johnson Date: 23/08/2024

Authorising Officer sign/initial Tamara Dale Date: 06/09/2024