Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0201
2 Wood End, Horsham, West Sussex, RH12 4NU

DESCRIPTION:
Installation of a 6ft boundary fence at the side of the dwelling.

RELEVANT PLANNING HISTORY:

NH/111/89	Retrospective application for a garden shed (From old Planning History)	Application Permitted on 06.09.1989

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 31- Green Infrastructure and Biodiversity
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles
Policy 40- Sustainable Transport

Neighbourhood Plan:
North Horsham has not been designated a Neighbourhood Plan area.

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:

Objection. Concerns of proposed enclosed land being intended to be part of the open plan nature of the area and will not be in keeping with the neighbourhood. With the property being located on a corner between two roads, it could impact on drivers' line of sight.

Representations:
One representation was received objecting as the proposed fence would have an adverse effect on the street scene and the open plan of the housing estate (contrary to the Horsham Town Design Statement, 2008), and there would be a loss of traffic sight lines.

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 site occupies a corner plot, with Wood End to the west and Rowan Way to the south. The site is accessed from Wood End and the host dwelling, 2 Wood End, is a semi-detached dwelling attached to 9 Rowan Way to the east. The site includes a detached flat roofed single garage with an access driveway off Wood End and is located to the north of the dwelling. An Electricity Sub Station with its own access is located between the garage and dwelling, whilst the Electrictity Sub Station has close board timber fencing enclosing it, its access driveway remains open. A roadside footpath separates the highway from garden curtilage and the driveway.

Wood End is mainly characterised by front boundary treatments which are predominantly of an open nature with intermittent vegetation providing a softened boundary treatment. There is some evidence of close board fencing around side gardens which are however separated by a small verge containing planting. Along Rowan Way there is evidence of intermittent close board timber fencing of garden curtilage up to the edge of the roadside footpath.

The application proposes the installation of a 6ft boundary fence (timber) to extend out from the west side of the dwelling, from the line of the front elevation, and then to run along the western boundary northwards, returning inwards at the site of the Electricity sub station, in order to enclose an open space area of the garden curtilage to the side (west) of the dwelling.

Character 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 skyline and important views.

The housing development (Wood End) is partly characterised by open boundary treatments to the front of any dwelling or to any exposed flank wall of any corner dwelling. This approach creates an attractive street scene and provides a sense of soft openness despite the relative density and spacing between the related dwellings. The side of the application site is marked by an open area of grassed land. This open area of land immediately abuts the back edge of the pedestrian footway, and also a timber fence enclosed electricity sub station which is however set back from the footway. The proposal entails the erection of a 6ft high timber fence to enclose part of the curtilage land.

The proposal would create a significantly harder edge to the site and would result in a loss openness which is currently provided by the land. The proposal would significantly change and have an adverse impact upon the existing character in this section of Wood End. The submitted plans also indicate a minimal setback from the footpath which would provide limited and inadequate opportunity to introduce soft planting, as such there would be minimal opportunity to ameliorate the harmful effects of the fence. It is therefore considered that the proposed fence would harmfully enclose a part of the open plan form of this location and would introduce an incongruous addition in the streetscene which is out of keeping with the character and appearance of the development.

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.

The proposed fence would change the relationship between the application site and properties within the cul-de-sac to the west (northwest to southwest) the front elevations of which front into the proposed fence line. It is though considered that the height and separation would be such that no significant impact on light or outlook would result for occupants of these adjoining properties; with sufficient potential for adequate daylighting remaining despite the proposed fence.

It is further acknowledged that the proposal would increase the usable area of private amenity space for occupants of the development. It is though considered that the existing space attached to the dwellinghouse provide a level of amenity comparable to surrounding properties, and the provision of additional amenity space would not overcome or outweigh the visual harm identified above.

The layout of the street and siting of the proposed fencing is such that no adverse impacts on visibility for users of the highway would be anticipated.

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.

Conclusion

The proposal is not considered to comply with relevant local and national planning policies.

Recommendation: Application Refused

Reason:

1 The development would result in a harmful loss of openness and would appear a visually dominant and intrusive addition to the street scene which would detract from the prevailing character and appearance of the site and wider surrounding area, resulting in unacceptable harm to the recognisable sense of place in the locality. The proposal would therefore be contrary to Policies 32 and 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/24/0201

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Site plan		1728/p01	27.03.2024
Block plan		NONE	04.03.2024
Photos	Rear/Side elevation, as existing and proposed	NONE	27.03.2024
Photos	Rear/Side, as existing	NONE	27.03.2024
Photos	Rear, as existing and proposed	NONE	27.03.2024
Photos	Front, as existing and proposed	NONE	27.03.2024
Supporting Docs	Neighbourhood examples	NONE	06.02.2024
Elevation plan	As existing	1728/p03	27.03.2024
Layout plan	Fence, as proposed	1728/p04	27.03.2024
Elevation plan	As proposed	1728/p05	27.03.2024
Location plan		NONE	04.03.2024
Layout plan	As existing	1728/p02	27.03.2024
Supporting Docs	Materials and Details	NONE	27.03.2024
Supporting Docs	Materials, as proposed	NONE	04.03.2024

DELEGATED

Case Officer sign/initial Steve Astles Date: 16.05.2024

Authorising Officer sign/initial Guy Everest Date: 22.05.2024