Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0211
7 Drake Close, Horsham, West Sussex, RH12 5UB

DESCRIPTION:
Erection of a side extension to provide garage to dwellinghouse.

RELEVANT PLANNING HISTORY
None relevant.

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
Policy 41- Parking

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

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:
WSCC Highways: No Objection: -

This proposal is for the erection of a side extension to provide garage to dwellinghouse. The site is located on Drake Close, an unclassified road subject to a speed restriction of 30mph.

I have raised an internal consultation request with the WSCC local Highway Area Office for comments on the proposed works within the maintained highway boundary. I am currently awaiting their comments but will forward these on once received.

WSCC Highways: Comment (received 09.05.24)

The applicant proposes a new access point to the side of the proposed garage. the proposed access works will be subject to a licence obtained through the local Highway Area Office and constructed to a specification agreed with the local Highways Area Engineer.

The Highway Area Office guidance sets out the minimum allowable criteria for the private driveway area as follows: -

- At least 4.8m long between the back of the pavement or property boundary (the face of any wall, fence, or hedge for example) and the front of your building and 2.4m minimum width.

- Or at least 6.0m long where the parking area is in front of a garage or door where adequate means of escape / access needs to be provided, like a front/back door, escape window, etc.

From inspection of the plans, the access point to the garage is positioned between 1.0m to 1.5m from the back of the pavement. Therefore, it is unlikely that a licence will be granted by the Highway Area Office as it does not meet the specification.

The LHA does not consider that this proposal will 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.

However, although there are no highway grounds for a refusal, an application for a licence for highway works are likely to be refused based on Highway Area Office guidance.

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:
No Objection.

Representations:
2 representations received which objected to the proposal due to loss of parking on the road for other residents in an already congested close, as a result of dropped kerb to allow access to garage.

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

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.

7 Drake Close is a two-storey dwelling located in the built-up area of Horsham. The application seeks to erect a side extension to provide a garage to the dwellinghouse. The site sits on the corner of the cul-de-sac which leads towards neighbouring garages and parking to the rear. The extension would be a modest addition to the dwelling, approximately 2.76m tall and 3.65m wide. The proposed garage would sit in line with the building, set back from the porch and use materials found on the main dwellinghouse or within the surrounding area. The garage door would open out towards the side, and obscure glazed windows are proposed along the front elevation. The application also proposes a new access point from the west of the site, off Drake Close.

While clearly visible in views from the street it is considered that the scale would be clearly subservient and of a modest scale and design which, on balance, would not result in any harmful loss of openness or appear unduly dominant or intrusive. It is therefore considered that the proposal would not result in demonstrable harm the character or appearance of the wider area, with the visual impact not unacceptable and in accordance 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.

The siting and scale of the side extension and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity. The dwelling is situated on the corner of Drake Close, and so the extension would be located a sufficient distance from the nearest neighbouring dwellings. The extension is modest in nature and uses materials that are characteristic of the street, so it is considered that there would be limited harm to amenity.

Impact on Parking Provision

Policy 41 of the HDPF states that adequate parking and facilities must be provided within developments to meet the needs of anticipated users.

The site proposes a garage, with provision for one parking space. While the objections to the proposal are noted the scheme has potential to remove a car from the street to the site, with this not expected to result in harmful displaced parking as a consequence of the proposal. The Local Highway Authority has raised no objections, noting that the crossover would require a licence which would require further dialogue with the local Highway Area Office. This is advised to the applicant through an informative. Taken as a whole no adverse impacts on the highway network, highway safety or neighbouring amenity have been identified.

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 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).

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. It is therefore recommended that further dialogue with the Local Highways Area Office takes place prior to the commencement of development..

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/

Online applications can be made at the link below, alternatively please call 01243 642105.

https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application form/

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/24/0211
(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	Proposed	MW.01A	13.02.2024
Floor plan	Existing	MW.04	13.02.2024
Location plan		MW.03	07.02.2024
Block plan		MW.01	07.02.2024
Elevation plan	Existing and proposed	MW.02	07.02.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 14.05.2024

Authorising Officer sign/initial Guy Everest Date: 15.05.2024