Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0662
22 Old Guildford Road, Broadbridge Heath, West Sussex, RH12 3JU

DESCRIPTION:
Conversion of garage with change of cladding material and erection of a single storey rear extension.

RELEVANT PLANNING HISTORY

DC/17/1407	Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3.3m, and for which the height of the eaves would be 3m.	Prior Approval NOT Required 28.07.2017
DC/22/2306	Erection of a two-storey side extension.	Application Permitted on 31.01.2023

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles
Policy 41- Parking

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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:
None received

Representations:
5 letters of objection received from 2 separate addresses, stating:

- The extension would make it difficult to maintain the fence
- Trespassing has taken place to erect the building
- Increase in noise
- Value of adjacent property would be affected
- Plans do not accurately reflect what would be built out on site

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.

The proposal seeks consent for the conversion of an extension to an existing garage serving the rear / side of the dwelling, comprising the use of the interior of the building as an ancillary home office / games room, and a 3.1m single storey flat roofed addition to its rear.

The proposal would be a subservient addition and 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.

In terms of its use: Officers are satisfied that the intended use would remain ancillary to use and enjoyment of the main dwelling, and can adequately be controlled by way of condition.

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.

It is considered that the siting and layout of the proposed extension and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Officers acknowledge the letters of representation received in objection to this application. Matters relating to trespassing and shared boundary maintenance are not material planning matters that can be considered within a planning application, but rather civil matters that need to be resolved by the applicant and adjacent landowners. Similarly, the effect of development and potential impact on adjacent property value is not a matter of the Local Planning Authority to consider. With regards to noise: whilst the form of the building would be increased, the use would remain ancillary to that of the main dwelling, similar to its current use. The increase in footprint is not considered to intensify the existing ancillary use. Comments regarding the accuracy of plans are noted: the plans attached to the application to be approved should be built out as presented. Any deviation from that may require a further assessment to determine whether or not this would materially differ from the assessment above.

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 185 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).

4 **Regulatory Condition**: The garage/outbuilding hereby permitted shall be used solely for purposes incidental, as a gym/games room and home office, to the occupation and enjoyment of the residential property at 22 Old Guildford Road, Horsham, (as identified on the approved plans), and shall not be used as a separate unit of accommodation, as habitable living accommodation, for any commercial purposes or for any other purpose(s)/use(s).

Reason: The establishment of an additional independent unit of accommodation would give rise to an over-intensive use of the site and/or lead to an unsatisfactory relationship between

independent units of living accommodation contrary to Policies 26 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/24/0662

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Site plan		(01)-001 REV G	29.04.2024
Elevation & Floor plan	Existing and proposed roof	(07)-003 REV H	29.04.2024

DELEGATED

Case Officer sign/initial Marie Riggs Date: 17.06.2024

Authorising Officer sign/initial RHERMITAGE Date: 24.06.2024