Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/0283
39 Hazelhurst Crescent, Horsham, West Sussex, RH12 1XB

DESCRIPTION:

Demolition of conservatory and erection of a single storey rear extension

RELEVANT PLANNING HISTORY

None relevant

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

Neighbourhood Plan:
Horsham Blueprint Business Neighbourhood Plan 2019-2036
Policy HB3: Character of Development
Policy HB4: Design of Development

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: Objection

Horsham Denne Neighbourhood Council has noted the comments of the neighbour at no.38. HDNC is concerned that the proposed extension is a solid structure which will be higher, extend out further and be closer to the boundary than the previous conservatory. It will have an adverse impact on light to the neighbour's property, which has a ground floor window on the side.

Representations:

2 letters of representation from 2 separate address received objecting to the application for the following reasons:

- Loss of light to kitchen and living room of neighbouring properties
- Loss of light in garden of neighbouring properties

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

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: Character of Development of the Horsham Blueprint Business Neighbourhood Plan states that – "Development is expected to preserve and enhance the Character Area in which it is located. The design of new development should take account of the local context and reflect the character and vernacular of the area, using architectural variety in form and materials, in order to avoid building design that is inappropriate to the Plan area. Innovation in design will be supported, however, where this demonstrably enhances the quality of the built form in a character area".

Policy HB4: Design of Development of the Horsham Blueprint Business Neighbourhood Plan states that – "Development is expected to demonstrate a high quality of design, which responds and integrates well with its surroundings"

The application seeks planning permission for the demolition of conservatory and erection of a single storey rear extension. The proposal would be set back from the later addition to 38 Hazelhurst Crescent and would extend 2.2m from the rear elevation of 40 Hazelhurst Crescent. The proposal would incorporate a mono-pitched roof with materials to match the existing and 3no. roof lights within the roof slope.

The proposal would follow the staggered build pattern of the row of dwellings and would be of a design, form, and appearance that would appropriately reflect the existing dwelling. The proposed extension would sit comfortably within the context of the site and surroundings and is considered to relate sympathetically to the character of the locality.

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 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.

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 extension would be positioned in close proximity to the shared boundaries within 38 and 40, with the addition set behind the rear elevation of no. 38 and extending 2.2m from the rear elevation of no. 40. It is noted that objections have been received on the basis of loss of light to both properties, where no. 38 includes a secondary window to the side elevation, and no. 40 includes rear facing window and door.

While recognised that the proposed extension would extend past the neighbouring side window, it is noted that the neighbouring addition benefits from rear facing windows/door, which would maintain a sufficient degree of natural light. While the proposal would extend beyond the rear elevation of no. 40, it is not considered that the depth would be such that the overall impact would amount to unacceptable harm.

For these reasons, it is therefore considered that any impact on neighbouring amenity would be limited and would not be sufficient to warrant a refusal of the application.

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 and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

Reason: 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/24/0283
(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
Location & Site plan	Site Location & Block Plan	TM076/01 REV P2	18.03.2024
Section plan	Proposed Elevations	TM076/07 REV P1	20.02.2024
Elevation & Floor plan	Proposed GF Floor Plan & Elevations	TM076/04 REV P1	20.02.2024
Floor plan	Existing Floor Plans & Roof Plan	TM076/02 REV P1	20.02.2024
Elevation plan	Existing Elevations	TM076/03 REV P1	20.02.2024

DELEGATED

Case Officer sign/initial Marie Riggs Date: 01.05.2024

Authorising Officer sign/initial Tamara Dale Date: 13.05.2024