Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0027
26 Pavilion Close, Thakeham, West Sussex, RH20 3GY

DESCRIPTION:
Erection of front entrance gate.

RELEVANT PLANNING HISTORY
None relevant

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 26- Strategic Policy: Countryside Protection
Policy 28- Replacement Dwellings and House Extensions in the Countryside
Policy 31- Green Infrastructure and Biodiversity
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles
Policy 34- Cultural and Heritage Assets
Policy 40- Sustainable Transport
Policy 41- Parking

Thakeham Parish Neighbourhood Plan (TPNP) to 2031:
Thakeham1 - A Spatial Plan for the Parish
Thakeham6 - Design

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:
1 Letter of Representation was received which objected to the proposal

Reason for Objection:

- Highway Access and Parking

The access road in Pavilion Close narrows from outside No 24 to No 30 Pavilion Close. No 30, the last house in the horseshoe has gates which were installed when the development was constructed.

If No 26 installs gates they need to be sufficiently inset from the road to allow any deliveries / post vans / visitors to No 26 to turn around in this driveway.

If the gates are too close to the outer boundary of the driveway, it will force all drivers to No 26 to drive past my house and into my drive, No 28, in order to turn around.

As it currently stands all deliveries to No 30 use my drive to turn around as there is no turning circle beyond the area outside 16 and 18 Pavilion Close.

If permission is granted for gates to No 26, and assuming that if permission is granted for one house, precedent has been set and permission will be granted for all, I will also place an application to install gates across my drive at No 28. This would mean all vehicles visiting 26 / 28 and 30 Pavilion Close would need to reverse back down the road and force all drivers to use the driveway of No 24 to turn around.

I fear this would raise a safety issue for pedestrians and residents if all lorries / cars/ vans are forced to reverse back down the end section of the horseshoe, particularly as I am elderly and use a mobility scooter daily on this section of the road.

Furthermore, there is reference in the application to five other properties with gates on the development. Other than the houses at either end of the horseshoe, the other properties with gates have significantly wider road access / turning facilities by their houses.

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.

Policy Thakeham6 of the NP seek to ensure that the scale, massing, appearance and materials for development proposals and alterations to existing buildings be reflective of architectural and historical styles of the parish.

The proposed development is for the erection of front entrance gate at 26 Pavilion Close, which forms part of a relatively recent development of housing designed and orientated to front a cricket pitch. The location, layout and design of the development creates a semi-rural character to the locality. The height, design and materials of the proposed gates would be sympathetic to the existing character and appearance of the locality, and it is noted that similar entrance gates were approved at no. 6 under ref: DC/20/1075. It is 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.

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

It is noted that concern has been raised regarding the potential for the gates to obstruct vehicles turning in the road, with the application site located close to the top of the cul-de-sac. The proposed gates would be set slightly back from the edge of the highway, and it is considered that their presence would not, as a matter of course, necessitate vehicles accessing neighbouring properties and land for manoeuvring purposes. Similarly, the presence of private driveways could not be relied upon for third parties to manoeuvre vehicles given the likely presence of parked vehicles in these spaces. While it is acknowledged that the road layout has limitations this is primarily a consequence of the original (cul-de-sac) layout of the development rather than as a result of the proposed entrance gates. The number of daily vehicle movements along Pavilion Close would be relatively modest and there is no evidence to suggest the proposed gates would have any adversely impact on highway safety or have any adverse effect on the wider highway network. As such, while these concerns are noted it is not considered they would justify a refusal of planning permission.

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 and approved plans.

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 entrance gates hereby permitted shall be hung to ensure they do not open outwards and shall be maintained as such in perpetuity.

Reason: To prevent any obstruction of the highway in accordance with Policy 40 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/24/0027
(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
Block plan		NONE	15.01.2024
Supporting Docs	Application Form	NONE	08.01.2024
Elevation plan	Proposed gate	NONE	08.01.2024
Site plan		NONE	08.01.2024

DELEGATED

Case Officer sign/initial J.Burrowes Date: 06/03/2024

Authorising Officer sign/initial Guy Everest Date: 19.03.2024