Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1097
51 Tilletts Lane, Warnham, West Sussex, RH12 3RE

DESCRIPTION:

Replacement of kitchen window with a window and external door. Installation of railings to rear elevation adjacent to the retaining wall.

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

Warnham Neighbourhood Development Plan 2017-2031 (WNDP)
Policy W5- Design of residential development

Warnham Parish Design Statement

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:

No Objection

Representations:

None received

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.

Policy W5 of the WNDP seeks to promote high quality design that respects the landscape and existing character of surrounding buildings, and provides high quality boundary treatment including the retention and enhancement of established hedgerows.

The proposed replacement of kitchen window with a window and external door represents a minor alteration which would not adversely impact on the character or appearance of the building or wider surrounds. Similarly, the 1.1m high railings to the front and rear of the site would not be of a height or design which would appear unduly prominent or intrusive in views from adjoining properties and land.

The proposal is therefore 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, 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.

Policy W5 of the WNDP also seeks to ensure neighbouring amenity are respected without any unacceptable losses of privacy, light, or visual intrusion.

It is considered that the nature, scale and siting of the proposal and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

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.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of: -

- The development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Other Matters

The submitted plans indicate replacement fencing along various site boundaries, along with a new entrance gate; these works are not included in the description of development given on the application form.

On the basis of the submitted details the siting and height of these works would meet the relevant conditions and limitations within Class A of Part 2 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, with the works therefore permitted development.

It is noted that a tree would also be removed in the northern boundary of the site. This is not protected by a Tree Preservation Order and is not considered to be a tree of particular amenity value. There is an abundance of trees and vegetation behind Fence F, and the removal of the tree would therefore not result in an unacceptable harm to the landscape character.

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, approved plans and email correspondence dated 19th August 2024.

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).

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/24/1097

(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	01.08.2024
Elevation & Floor plan	Existing	mm/01/tillet51	17.07.2024
Elevation & Floor plan	Proposed	mm/02/tillet51	17.07.2024
Location plan		NONE	30.09.2024
Supporting Docs	Email Correspondence re: materials	NONE	19.08.2024

DELEGATED

Case Officer sign/initial Joshua Lee Date: 25.10.2024

Authorising Officer sign/initial Guy Everest Date: 30.10.2024