



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0025

12 Cambridgeshire Walk, Faygate, West Sussex, RH12 0DD

DESCRIPTION:

Erection of a single storey garden building.

RELEVANT PLANNING HISTORY:

DC/23/1994	Erection of a single storey conservatory (Lawful Development Certificate - Proposed).	Application Refused on 28.12.2023
DC/24/0008	Erection of a single storey rear conservatory	Application Permitted on 14.03.2024

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 28 - Replacement Dwellings and House Extensions in the Countryside

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Horsham District Local Plan (2023-40) (Regulation 19):

Policy 19: Development Quality

Policy 20: Development Principles

Policy 45: Replacement Dwellings and House Extensions in the Countryside

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at

www.horsham.gov.uk.

Consultations:

Southern Water: No objection.

Parish Comments:

None received.

Representations:

Two representations have been received supporting the proposal for the following reasons: -

- Design and Impact on Amenity. Modest in scale, sympathetic to the character of Cambridgeshire Walk, and well-integrated within the garden. As a direct neighbour, they have no concerns regarding loss of privacy, overshadowing, or impact on outlook.

- **Appropriate Use and Residential Character.** The proposal represents a reasonable improvement to the property and maintains the residential nature of the area, with no anticipated noise or disturbance.

One representation has been received objecting to the proposal for the following reasons: -

- **Impact on Amenity and Privacy.** The proposed garden building is excessively close to their boundary and disproportionately large, resulting in an overbearing presence, loss of privacy, and harm to their residential amenity. The siting is not in keeping with the surrounding pattern of development.
- **Unclear Use and Potential Disturbance.** The application lacks clarity on the intended use of the building. Given its size, there is concern it may be used for purposes beyond incidental residential use, leading to increased noise and disturbance.
- **Impact on overdevelopment and design.** The building's layout and glazing clearly indicate use as accommodation rather than storage, undermining affordable housing in the area. The plans also provide no viable drainage or guttering solution, despite Southern Water's objections and the risk of damp due to the structure's position on the boundary. The development has already begun without permission and is visible from public areas. For these reasons, permission should be refused.

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 28 of the HDPF relates to house extensions and outbuildings in the countryside, stating that ancillary accommodation and garaging must demonstrate that the need for additional space cannot be met from an existing dwelling or buildings suitable of conversion on the site, with new outbuildings sited to have regard to the dwelling they serve and be grouped with the house. The policy also states that the use of ancillary accommodation as a separate dwelling will not be supported.

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.

The outbuilding would be sited across the full width of the rear boundary of the site, which adjoins three neighbouring properties. The outbuilding would be visible above the existing boundary treatment but would be of a clearly subservient scale to the principle dwellinghouse and would not be unexpected in a location such as this. It is considered that the outbuilding would not be out of keeping with the character or appearance of the locality, with the visual impact acceptable 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.

It is considered that the siting and scale of the outbuilding, taking into account the existing boundary treatment and the resulting relationship with surrounding properties and land, would be sufficient to prevent any unacceptable harm to neighbouring amenity.

The outbuilding would not amount to the creation of a separate planning unit on the site, and the use for ancillary purposes would not create significant potential for harmful levels of noise or disturbance.

As such, the amenity impacts of the proposal are considered acceptable and in accordance with the above policies.

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

In accordance with the Biodiversity Gain Requirements (Exemptions) Regulations 2024, all householder applications are current exempt from the statutory requirement to demonstrate a 10% net gain in biodiversity.

Other Considerations

Southern Water has not objected to the proposal, advising that the flow rate for the above site will remain consistent, with capacity not an issue and no Southern Water assets being affected. The siting of the outbuilding would not, as a matter of course be expected to result in harmful potential for damp along shared boundaries with no evidence to suggest an increased risk of flooding as a result of the proposal.

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 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the proposed plans and 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).

POSITIVE AND PROACTIVE STATEMENT

