Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0092
Briar Patch, Hangerwood, Shermanbury, West Sussex, RH13 8HJ

DESCRIPTION:
Erection of a 2No. Bay open front garage

RELEVANT PLANNING HISTORY:

DC/18/0380	Proposed roof conversion including front and rear single storey first floor extensions, front and rear dormer windows, roof lights and the removal of existing chimneys and erection of new chimney at the side of property.	Application Permitted on 17.04.2018.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
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 40- Sustainable Transport
Policy 41- Parking

Wineham and Shermanbury Plan (2014-2031):
Policy 5: Design

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:

WSCC Highways: Advice

This proposal is for the erection of a detached double-bay garage. The site is located on Hangerwood, an unclassified road subject to a speed restriction of 30mph.

No alterations are proposed to the existing access or parking arrangement. The LHA does not anticipate that the proposals would give rise to a material intensification of movements to or from the site.

I would note that the proposed garage does not meet the minimum internal specifications for a double-bay garage of 6m x 6m as outlined in Manual for Streets (MfS). The LHA would advise the applicant to consider increasing the depth of the garage to 6m to be considered for parking provision. Notwithstanding this, there appears to be ample room on the driveway to accommodate sufficient parking and turning space to serve the host dwelling.

Conclusion
The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

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 representation received which objected to the proposal:

- The proposed building is being erected close to my property and the height, length and depth will clearly reduce daylight including late afternoon and evening sunlight both into the house and garden.
- The proposed building is close to our kitchen where we currently sit and enjoy our meals looking into our garden – if this goes ahead, we will have to look onto the side, back and huge roof of a large double garage.
- The height of the building suggests it may in the future be used for office or living space.
- The height of the building appears as though it will touch the BT telephone/ Wifi line that runs from the council owned front pavement to our home.
- We have spent thousands of pounds on shrubs & trees for our garden over the last 20+ years. The building will reduce the daylight impacting their growth and thus the air quality.
- The owners of Briar Patch previously removed their front lawn, replacing it with a very noisy slate/gravel drive, the house is constantly floodlit until late into the night, causing light pollution.
- There is a water spring below the front garden of Briar Patch, having replaced their lawn with a gravel drive (above) this spring water now flows onward underground into our garden rather than being absorbed by the lawn. The concrete base and brickwork which is required for this building will simply exacerbate this issue and further impact my property.

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, and a site visit by the case officer. 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.

Briar Patch is a detached dwelling located on Hangerwood, outside the built-up area. The application seeks to erect a 2No. Bay open front garage, to accommodate cars as well as use as storage. The garage would be oak framed and use materials that match those on the existing dwellinghouse. The garage would sit towards the front of the curtilage, alongside the fence and vegetation that abuts the front boundary. The garage would be situated on an existing concrete base and is 4m tall. The dwelling benefits from tall hedging and bushes that would mitigate views from the front and sides of the property. It is considered that the garage would be a sympathetic addition to the dwelling and is 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.

While the objection to the proposal is acknowledged, it is considered that the siting and layout of the proposed garage would have limited impact on the adjoining neighbours. The garage would be well-contained within the curtilage, situated on an existing concrete base, and towards the front of the site. Most properties are set back from the access road and so it is considered that the garage would be sufficiently separated from neighbours. Furthermore, existing vegetation would shelter the garage in views from the road and the neighbours. Therefore, it is considered that the garage would not cause unacceptable harm to neighbouring amenity. 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.

Impact on Highways

Policy 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users. In addition, Policy 41 states that adequate parking and facilities must be provided within development to meet the needs to anticipated users.

While the proposed garage would not meet the internal space requirements for garages from WSCC Highways, it is considered that parking can be accommodated within the driveway. The applicants were advised of this but did not want to amend to increase the depth of the garage. It is considered that if parking cannot be provided within the garage, that there remains ample room on the driveway to accommodate sufficient parking and turning space. No highway safety concerns were raised by WSCC Highways, and it is therefore considered that the proposal would be 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.

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 garage hereby permitted shall be used solely for purposes incidental, as a residential garage, to the occupation and enjoyment of the residential property at Briar Patch, Hangerwood, Shermanbury, RH13 8HJ (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, additional living accommodation, commercial use or any other use(s) would give rise to an over-intensive use of the site and 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/24/0092

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Block plan	As proposed	NONE	05.03.2024
Location plan		NONE	05.03.2024
Supporting Docs	Image of proposed garage	NONE	17.01.2024
Block plan	As existing	NONE	05.03.2024

Elevation & Floor plan	As proposed	PL 001	05.03.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 26.04.2024

Authorising Officer sign/initial RHERMITAGE Date: 30.04.2024