Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1942
Kennels Cottages, Wheatsheaf Road, Woodmancote, West Sussex, BN5 9BD

DESCRIPTION:
Retrospective application for the erection of a first-floor rear balcony.

RELEVANT PLANNING HISTORY:
None

DESCRIPTION OF THE SITE

1 and 2 Kennels Cottages are semi-detached dwellings off of Wheatsheaf Road. Benefiting from a large residential curtilage and extensive foliage, the dwellings are set back from the entrance road with few neighbouring properties. The retrospective works are mostly hidden by foliage.

DESCRIPTION OF THE APPLICATION

The application seeks for the permission for the retrospective erection of a first-floor rear balcony. The materials used match those of the existing property with the installation of a balcony fence. The area provides a large outdoor space for both properties.

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

Woodmancote Parish Neighbourhood Plan 2016-2031:
Policy 3: Design

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing

development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 45: Replacement Dwellings and House Extensions in the Countryside

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Parish Design Statement:

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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

PUBLIC CONSULTATIONS:
Representations:
No representation letters have been received.

Parish Comments:
None received.

Member Comments:
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

Design and Appearance:

Policy 3 of the Woodmancote Neighbourhood Plan states that the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing

buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings, and is appropriate to the plot size. In the areas adjoining the South Downs National Park, proposals will be supported that avoid any detrimental effect on its landscape and scenic beauty.

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 proposal entails retrospective external works involving the insertion of a door unit to each dwelling in place of pre-existing windows to the rear first floor elevation to enable access to the flat roof area. The amendment does not adversely impact on the character and appearance of the existing dwellings or the wider surrounding area. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

Residential 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.

As above, the inserted doors at first floor level grant external access to the flat roof area for the use of a balcony. The dwellings are situated behind thick foliage and tall trees. Their nearest neighbours are across a field and on the other side of a main road, with trees in between. It is not considered to cause harm to the neighbouring amenity owing to the maintained distance. The proposal therefore accords with Policy 33 of the HDPF.

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 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain (BNG):

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 Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

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

- The application is retrospective made under Section 73(A) of the Town and Country Planning Act.

Conclusions:

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

Recommendation: Application Permitted

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/24/1942
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Block plan		NONE	05.02.2025
Floor plan	Pre-Existing	KC.Pre-EX.01	13.12.2024
Floor plan	Existing	KC.EX.01	13.12.2024
Elevation plan	Existing	KC.EX.02	13.12.2024
Location plan		NONE	13.12.2024
Elevation plan	Pre-Existing	KC.Pre-EX.02	13.12.2024
Supporting Statement	Planning and heritage	NONE	05.02.2025

DELEGATED

Case Officer sign/initial Meg Bayliss Date: 27/03/2025

Authorising Officer sign/initial RHERMITAGE Date: 02.04.2025