DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/1319
105 Pondtail Road, Horsham, RH12 5HT

DESCRIPTION:
Erection of a single storey side extension (Part Retrospective).

RELEVANT PLANNING HISTORY:

DC/21/2478	Erection of a part two-storey, part single storey front extension and a single storey rear extension. Roof extensions and alterations and to external materials to dwelling.	Application Permitted on 27.06.2022

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 31- Green Infrastructure and Biodiversity
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles

North Horsham Neighbourhood Plan
North Horsham has not been designated as a Neighbourhood Plan area.

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 in principle, providing the boundary and height issues are satisfactorily resolved.

Representations:
1 representation was received objecting to the proposal due to encroachment over the boundary line

and restriction of side access, and due to concerns relating to interference of neighbouring fencing by builders.

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
This application is for the erection of a single-storey side extension at 105 Pondtail Road within the built-up area of Horsham. Planning permission was previously granted for extensive extensions and alterations to convert a bungalow to a two-storey dwellinghouse, ref: DC/21/2478. This application entails the erection of a single-storey side extension which goes beyond the extent of the extensions previously permitted at the site. The application follows a Planning Compliance investigation, which found that building works were not taking place in accordance with the plans approved under the earlier planning permission, with construction works taking place.

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.

The proposed extension would create a store sited on the northern boundary of the site, essentially increasing the forward projection of a previously approved side / rear section of the extended dwelling. The side extension would appear clearly subservient to the principle two-storey section of the building and would reflect the design approach of other ground floor projections at the site. The proposal is 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. 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.

The immediately adjoining property does not feature any key windows to habitable rooms to the flank elevation and the additional projection beyond the rear building line (of the neighbouring property) would not be expected to result in any unacceptable harm given the modest single-storey height. The resulting relationship with adjoining properties would therefore be considered sufficient to prevent any unacceptable harm to neighbouring amenity, in accordance with the above policy.

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.

Other Matters

It is noted that concern has been raised regarding possible encroachment (of eaves / guttering) over the shared boundary and the resulting impact on side access, and disruption from building works. The submitted plans do not indicate any encroachment outside of the site boundaries, and although ownership of land is not a planning consideration, the submitted application forms indicate that no land outside of the applicant's ownership would be affected. It is not therefore expected that the proposal would, as a matter of course, result in overhanging elements.

The scale and nature of the proposed extension would not result in a level of activity which would lead to a level, nature or duration of building works which would lead to unacceptable amenity impacts.

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 and measurements 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).

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/23/1319
(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
Floor plan	As proposed	OP-K/03	29.11.2023
Location plan	As existing and elevations	OP-K/03	29.11.2023

Floor plan	As existing	OP-K/02	29.11.2023
Site plan	As proposed and elevations	OP-K/03	29.11.2023
Supporting Docs	Application Form	NONE	29.11.2023

DELEGATED

Case Officer sign/initial J.Burrowes Date: 18/01/2024

Authorising Officer sign/initial Guy Everest Date: 24.01.2024