DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1387
Flats 42 - 48 South Holmes Road, Horsham, West Sussex, RH13 6HR

DESCRIPTION:
Replacement of the existing windows and doors with uPVC. Replacement of front entrance doors with GRP composite.

RELEVANT PLANNING HISTORY:

DC/19/0619	Removal of existing single glazed timber and existing PVC-u windows and replacement with reinforced PVC-u double glazed windows.	Application Permitted on 10.05.2019

DESCRIPTION OF THE SITE
The application site is located on the southern side of South Holmes Road, within the built-up area of Horsham. The property is a three storey residential block. The wider surroundings are characterised by further residential blocks of flats, varying in scale, design and appearance.

DESCRIPTION OF THE APPLICATION
The application seeks planning permission for the replacement of the existing windows and doors with uPVC. Replacement of front entrance doors with GRP composite.

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
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction

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

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Police 8: Sustainable Design and Construction
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 40: Improving Housing Standards in the District

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old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d).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.

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:

HDC Arboricultural officer: No Objection

Representations:

None received

Parish Comments:

No Objection

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

Character and appearance

Policies 32 and 33 of the HDPF require new developments be of high standard of design and layout to ensure the enhancement and protection of locally distinctive social and environmental features. Furthermore, new developments should make a positive contribution to a sense of place in buildings including the way new developments integrate with their surroundings and landscapes.

The application seeks planning for the replacement of the existing windows and doors. The glazing pattern, opening method and frame colour of the replacement windows and doors would reflect the existing, with this approach sufficient to maintain the uniformity of the building. It is noted that full height openings will have either a glazed or solid bottom panel and this would create some variation across certain elevations. This would not though result in any level of harm which would warrant a refusal of planning permission.

The replacement of existing rainwater goods with updated equivalents would have a neutral impact on the character and appearance of the building and wider surrounds.

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 nature of the proposal is such that there would be a neutral impact on neighbouring amenity, with no unacceptable harm identified, in accordance with the above policy.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

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 application site 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.

The development is considered to be 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.

Conclusion:

The proposal is considered to accord 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 approved plans and application particulars.

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).

NOTE TO APPLICANT
Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun, because one or more of the statutory exemptions or transitional arrangements are considered to apply.

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/24/1387
(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
Location plan		201	09.10.2024
Block plan		202	11.09.2024
Elevation plan	Existing	001-A	16.10.2024
Plans	Existing Window and Door Schedule	002-A	16.10.2024
Elevation plan	Proposed	101-A	16.10.2024
Plans	Proposed Window and Door Schedule	102	11.09.2024
Design & Access Statement		NONE	11.09.2024
Supporting Statement	Planning Fire Safety Strategy	NONE	11.09.2024

DELEGATED

Case Officer sign/initial Marie Riggs Date: 25.11.2024

Authorising Officer sign/initial Guy Everest Date: 27.11.2024