DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1791
12 Thornden, Cowfold, West Sussex, RH13 8AF

DESCRIPTION:
Erection of a single storey rear extension with roof terrace above.

RELEVANT PLANNING HISTORY:

DC/18/2598	Part-Retrospective application for landscape and engineering operations to rear garden including the removal of a pond and the installation of new drainage.	Application Permitted on 08.02.2019
DC/21/2155	Erection of a single storey rear extension with roof terrace above.	Application Permitted on 12.11.2021

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

Neighbourhood Plan:
Cowfold Parish have produced a neighbourhood plan which have been subject to successful Examination but cannot proceed to Referendum because of the legal requirements in relation to Water Neutrality and the Habitat Regulations. To unlock the Cowfold Neighbourhood Plan, further work has been commissioned to address the issue of water, with a Decision Statement now issued confirming the plan should proceed to referendum, details of which are not yet available. The following policies are of relevance: -

Policy 9: Residential Development Principles

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 19: Development Quality
Policy 20: Development Principles

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:
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.

Southern Water: No objection

Parish Comments:
Cowfold Parish Council made a neutral return in respect of this planning application as it did to its predecessor, DC/21/2155.

Representations:
2 representations were received (from the same address) objecting to the application for the following reasons:

- The roof terrace provides opportunity to overlook neighbouring rooms and gardens.
- The submitted plans do not give an accurate representation of the distance away from the boundary.
- The balustrade is not in keeping with the existing property.
- The submitted plans include the formation of a new residential annexe (which is not included on the CIL form).

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. These details were considered sufficient to allow the application to be properly considered and determined.

Background

Planning permission was previously granted under ref: DC/21/2155 for an identical scheme comprising a single-storey rear extension with roof terrace above. This permission was not though commenced within the required time period and has therefore expired. This current application has therefore been submitted to seek a new planning permission for the development.

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 proposal would be single-storey and therefore a clearly subservient addition to the host building, which benefits from a sizeable curtilage within which the extension would be well contained. While the proposal would introduce a considerable expanse of flat roof this would not be prominent from the public realm, with flat roofed additions not unexpected in a suburban location such as this. The ground floor materials and fenestration would create a coherent appearance to the resulting building, which would not appear out of keeping or incongruous in this location.

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.

It is considered that the scale and siting of the extension away from shared boundaries and the separation from neighbouring window openings / properties would be sufficient to prevent any unacceptable impact on the amenities of adjoining occupiers.

The previous planning permission included a condition to require privacy screening be affixed to the northern (side) elevation of the roof terrace. This screening would have prevented direct views over the neighbouring property and related curtilage, with the terraces' siting away from the rearmost section of the extension and the separation from the rear and southern (side) boundary sufficient to ensure views are directed over the application site. The same condition is recommended as part of this current planning application and is considered sufficient to ensure no intrusive or harmful views of neighbouring properties or land are created by the terrace.

It is considered that in normal domestic use the presence of a roof terrace, partly surrounded by outdoor amenity space, would not create significant potential for harmful levels of noise or disturbance.

The amenity impacts of the proposal are therefore considered acceptable and would accord 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.

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

It is noted that a representation refers to the formation of a new annexe, with the submitted plans including a new 'living / bedsit' within the extension. This accommodation would though be an integral

part of the main dwelling with the submitted plans not indicating a level of facilities which would enable self-contained occupation.

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 **Pre-Occupation Condition**: Notwithstanding the submitted details, no part of the first-floor roof terrace hereby permitted, as indicated on drawing number 2144 P01, shall be used until details of obscured screening to the northern (side) elevation of the terrace have been submitted to and approved in writing by the Local Planning Authority. The details shall provide for obscured / opaque screening to a height of 1.8 metres above the floor level of the terrace. The roof terrace shall not be used until the screening has been erected in accordance with the agreed details and shall be maintained as such thereafter.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved 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
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/24/1791
(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
Elevation & Floor plan	Existing and Proposed and Roof, Block and Location Plan	2144 / P01	19.11.2024
Supporting Docs	Application Form	NONE	19.11.2024

DELEGATED

Case Officer sign/initial Marie Riggs Date: 28.01.2025

Authorising Officer sign/initial Guy Everest Date: 29.01.2025