Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0563
21 Sired Way, Faygate, West Sussex, RH12 0DX

DESCRIPTION:
Erection of a garden building.

RELEVANT PLANNING HISTORY
None relevant

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 31- Green Infrastructure and Biodiversity
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles

Neighbourhood Plan:
Colgate 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 (to the amended plans).

Representations:
2 representations (from 1 address) were received, objecting to the original plans for the following reasons:-

- The siting is close to a shared fence which will block light.
- Other locations within the garden would be preferable.
- Loss of property value.
- Query which elevation of the outbuilding would front which boundary.

No representations were received as part of the re-consultation period (following the receipt of amended plans).

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

The application site is located within the wider Kilnwood Vale development, which forms one of the Council's strategic development sites, to the west of Crawley. Kilnwood Vale does not within the defined built-up area boundary and for the purposes of planning policy the site is therefore located within a countryside location. However, Kilnwood Vale is clearly a built-up area of which the application site forms part. The following policies of the HDPF are therefore considered most relevant to this current application.

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 application seeks planning permission for the erection of a garden building. The application has been amended as part of the application process to reduce the length and height and to site the outbuilding alongside the neighbouring dwelling (rather than alongside the neighbouring amenity space). The assessment of the application is based on these amended plans, which were subject to a period of neighbour re-consultation.

The proposed outbuilding would be clearly subservient in form and function to the host building and is of a design, form and scale which is considered 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 proposed outbuilding and the resulting relationship with adjoining properties and related gardens would be sufficient to prevent any unacceptable harm to neighbouring amenity, with the key outlook to the front and rear of this neighbouring property unaffected.

The use of the outbuilding for incidental purposes associated with the existing dwelling would not be expected to create significant potential for harmful levels of noise or disturbance above existing levels.

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 email correspondence dated 22.07.2024.

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/24/0563
(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		755/ 01	27.06.2024

Location & Block plan		755/ 02	27.06.2024
Floor plan	Proposed roof	755/ 03	26.06.2024
Elevation plan	Proposed	755/ 04	26.06.2024
Supporting Docs	Email re: materials	NONE	22.07.2024

DELEGATED

Case Officer sign/initial Marie Riggs Date: 23.07.2024

Authorising Officer sign/initial Guy Everest Date: 25.07.2024