DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0014
15 Oaks Close, Horsham, West Sussex, RH12 4TZ

DESCRIPTION:
Demolition of rear conservatory. Erection of two storey side extension and a single storey front, side & rear extension.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

Neighbourhood Plan
North Horsham Parish Council voluntarily withdrew their parish from the Neighbourhood Development Plan process on 30 July 2018.

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.

Parish Comments:
North Horsham Parish Council raised an objection to the application for the following reason:-

- Objection due to overdevelopment of the site.

Representations:
6 letters of representation have been received, from 3 separate addresses objecting to the application for the following reasons:-

- Encroachment into neighbouring property
- Overshadowing and loss of light
- Loss of views
- Extends beyond building line
- Overdevelopment
- Infringement on neighbouring 'right to light'
- Access for building would be needed on neighbouring land
- Impact on streetscene
- Incongruous appearance (materials)
- The development would be contrary to title deeds (including a party wall)
- The proposal would go against the open plan nature of the street

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 during a site visit and 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 and following the Planning Officer's visit to the site. These details were considered sufficient to allow the application to be properly considered and determined.

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 application seeks planning permission for the demolition of rear conservatory. Erection of two storey side extension and a single storey front, side & rear extension. The application site does not appear to have had much alteration since it was built, and it is considered that the property has the scope to create a larger family dwelling commensurate with other properties in the road.

While the proposed two storey side extension and single storey front side and rear extensions would (cumulatively) be relatively large additions, it is considered that the extensions would reflect the form, scale and detailing of the existing building, appearing as coherent and sympathetic additions with sufficient separation retained around the extended building and site boundaries. The single-storey additions illustrate a suitable level of subservience to that of the main dwelling and would incorporate roof forms sympathetic to the existing built form. It is considered that given the mixture of building forms and designs making up the dwellings within the vicinity the proposed works would not have a detrimental impact on the host property of the character or appearance of the wider area.

The two-storey side extension would be sited on the southern elevation of the site, extending towards the street on the corner plot location, replacing the existing garden shed and landscaping detail in the rear garden. Neighbouring comments regarding the building line are noted- it is acknowledged that the side extension would extend beyond the building line to the neighbouring properties on the perpendicular row of dwellings to the west (nos. 1-11). However, this would be set (at two storey level) some 15m from this building line, which is sufficient enough to credit that the extension would not appear at odds with the existing development to the west. Given that the property benefits from a relatively generous corner plot location, the curtilage would comfortably accommodate an extension of this scale.

While it is noted that the proposal would be a relatively large addition it is considered that given the plot size, the variation in the size and design or properties within the locality, with the presence of a larger dwelling would not be visually harmful in this instance. The proposal would appear as a coherent and sympathetic addition and would have a limited impact on the surrounding area.

The proposal incorporates the addition of a composite weatherboard cladding and render. The street is largely characterised by brick dwellings with tile clad elements to the first floor frontages, with some examples (on the other side of the street) featuring this material to the entire first floor. There are some examples on the street (such as No. 6 and 8) that feature white UPVC cladding to the upper floors, thus providing some variation to the material palette in the area. The finish and colours of the proposed materials is not presently known. However, given the variation of materials in the wider area no objection is raised in principle to the further variation. A condition is attached to ensure that details of the chosen materials are submitted to and approved in writing by the Local Planning Authority prior to their installation to certify that the resultant appearance would not depart so greatly from the existing stock on the street.

The proposals would be clearly subservient additions and are 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(2) 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.

Neighbouring objection have been received relating to the loss of light to the kitchen window of the adjacent property (no. 17) which looks south towards the application site. As existing, the properties share a covered car port to the front of their garages, between the side elevations, and includes a dividing fence panel which does diminish natural light intake. The window would experience further diminished intake of light owing to the proposed single storey extension to the northern boundary. However, this would not be considered so severe over and above the existing arrangement as to warrant refusal of the application, especially as the window serves a non-habitable room.

It is considered that normal domestic use of the dwelling would not be anticipated to create noise, light or other disturbances at significant levels that would be considered disruptive or detrimental to the living conditions of adjoining occupants over and above the existing use and occupation of the dwelling. The proposed is therefore considered in keeping with the residential character of the locality, ensuring that any impact on adjoining properties remains within acceptable and expected limits.

It is considered that due to the separation distances involved in relation to neighbouring properties that the proposal would not result in any unacceptable harm to neighbouring amenity and would ensure that overshadowing or overlooking are minimised preserving the reasonable enjoyment of adjacent properties, and the nature and scale of the development would not be of a magnitude which would lead to sustained loss of amenity. Furthermore, given the presence of existing windows at first floor level, the proposed two-storey extension would not provide for additional opportunities of overlooking over and above the existing arrangement.

Neighbouring concerns regarding access during construction and foundation encroachment are noted. However, at this stage in the development process, it is not currently known if the foundation would be required to be extended into the neighbouring property. This level of detail would be expected at the building control stage rather than at the planning stage. If it is the case that access is needed from the neighbouring property at the time of construction, the applicant will need to seek neighbouring permission to do so- this is a civil matter between the two interested parties that would need to be resolved privately outside of the application process. In any case, impacts during construction would be temporary during the construction period and would not be experienced long-term.

Comments relating to the development being contrary to titles deeds and party walls are also noted. Similarly to the above, any contradiction to covenants and title deeds are not a matter for the planning system to resolve, and is not a matter that the Council will engage in.

With the above in mind, it is considered that the siting and layout of the proposed extension and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity. The proposal is therefore considered to accord with Policy 33(2) 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

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.

Conclusion

It is considered that the development has been assessed in relation to its proximity to neighbouring properties, and it is considered that the separation distances involved are sufficient to prevent any unacceptable harm to the amenity of surrounding properties. The design and positioning of the development ensure that issues, such as overshadowing and overlooking, are minimised, thereby preserving the privacy and reasonable enjoyment of adjoining properties. It is also considered that the scale and nature of the proposal is not of a scale or intensity that would result in a sustained or significant loss of amenity for neighbouring occupants.

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-Commencement (Slab Level) Condition**: No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials

and finishes and colours to be used for external walls, of the approved building has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality 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/25/0014

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Site plan	and Existing Ground Floor	AD01	07.01.2025
Floor plan	Existing First floor and Roof	AD02	07.01.2025
Elevation plan	Existing	AD03	07.01.2025
Section plan	Existing	AD04	07.01.2025
Floor plan	Proposed Ground	AD05	07.01.2025
Floor plan	Proposed First/Roof	AD06	07.01.2025
Roof plan	Proposed	AD07	07.01.2025
Elevation plan	Proposed Front (East)	AD08	18.02.2025
Elevation plan	Proposed Rear (West)	AD09	18.02.2025
Elevation plan	Proposed Side (South)	AD10	18.02.2025
Elevation plan	Proposed Side (North)	AD11	18.02.2025

DELEGATED

Case Officer sign/initial Marie Riggs Date: 03.03.2025

Authorising Officer sign/initial RHERMITAGE Date: 04.03.2025