Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1660
42 Pondtail Road, Horsham, West Sussex, RH12 5HR

DESCRIPTION:

Retention of studio outbuilding to front of dwelling.

RELEVANT PLANNING HISTORY:

DC/20/1643	Erection of a first floor side extension and conversion of attached garage to living space, together with a roof extension at second floor level and erection of a single detached garage/store to front of main dwellinghouse.	Application Permitted on 22.02.2021
DC/23/0681	Erection of a garden building to the rear (Retrospective).	Application Permitted on 23.08.2023

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 40 - Sustainable Transport
Policy 41 - Parking

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 9: Water Neutrality
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 24: Sustainable Transport
Policy 25: Parking

Parish Design Statement:
Horsham Town Design Statement

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:

None received

Representations:

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

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.

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.

Permission is sought retrospectively for the erection of a studio. While permission was granted for an external garage under DC/20/1643, these plans have not been adhered to. The building has a pitched, tiled roof, wooden cladded walls and grey fenestration. Whilst modern in appearance and relatively large, the studio is partly screened from the road by vegetation and a fence. The pitched roof and tiles

assist the building in remaining in keeping with the streetscene, and in comparison to the dwelling, the studio appears suitably subservient.

The proposal is subservient to the main dwelling and 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 location and orientation of the studio prevent their being any unacceptable impacts on neighbouring amenity.

The agent has confirmed the studio is used for storage. In order to ensure the studio use is suitable within the residential area and in such close proximity to dwellings a condition restricting its use has been recommended.

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.

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

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

2 **Regulatory Condition:** The building hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the dwelling house at no.42 Pondtail Road, RH12 5HR and shall not be used as a separate unit of accommodation, as habitable living accommodation, for any commercial purposes or for any other purpose(s)/use(s).

Reason: The establishment of an additional independent unit of accommodation, additional living accommodation, commercial use or any other use(s) would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to 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/24/1660
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	24.10.2024
Elevation & Floor plan	Proposed garage	08 REV A	24.10.2024
Elevation plan	Proposed sections	AD02ESB	24.10.2024
Location & Block plan	Floor and roof	AD01ESB	24.10.2024

DELEGATED

Case Officer sign/initial Alice Johnson Date: 24.12.2024

Authorising Officer sign/initial RHERMITAGE Date: 07.01.2025