Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0311
Cedars, The Driftway, Upper Beeding, West Sussex, BN44 3JX

DESCRIPTION:
Erection of a 2m wooden fence to western boundary.

RELEVANT PLANNING HISTORY:

UB/40/89	Erection of garage/store with playroom over. Comment: Appeal allowed 21/03/90 plot 29a. (From old Planning History)	Application Permitted on 21.03.1990
UB/80/88	Erection of a garage/store with playroom over. Comment: Plot 29a. (From old Planning History)	Application Refused on 21.12.1988
UB/19/88	Erection of a garage/store with playroom over. Comment: Plot 29a. (From old Planning History)	Application Refused on 21.04.1988

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 25- Strategic Policy: The Natural Environment and Landscape Character
Policy 26- Strategic Policy: Countryside Protection
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
Policy 34- Cultural and Heritage Assets
Policy 40- Sustainable Transport
Policy 41- Parking

Upper Beeding Parish Neighbourhood Plan 2018-2031 (UBPNP):
Policy 8 Design Standards for New Development:

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:
WSCC Highways: No Objection.

HDC Arboricultural Officer: No Objection.

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: Objection: -

- Design
- Highway Access and Parking
- Not in keeping with the street scene. A fence round this corner would alter the street scene fundamentally and obscure the view of the houses further into the close.

Representations:
17 representations were received, objecting to the application due to concerns relating to the visual impact, safety/security sightlines impact, visual landscape character of the area.

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 site is situated on a corner plot near the end of the cul-de-sac The Driftway, which consists of mainly detached dwellings positioned adjacent to each other's side boundaries. The application site, Cedars, is a detached dwelling with a garden curtilage which extends at the front by approx. 4m and round the side of the dwelling by approx. 6m. The rear garden curtilage is currently separated off by a brick wall which extends backwards to the rear from the northwest rear corner of the dwelling. Along the side and front of the garden curtilage runs a public footpath and then the road. It is noted that a mature tree sits within the open side garden curtilage.

The Driftway is mainly characterised by front boundary treatments which are predominantly of an open nature with intermittent vegetation providing a softened boundary treatment.

The application proposes new timber fencing (2m height) around the western boundary, which would enclose the area of side garden curtilage open space.

Character and Appearance

Policy 32 and 33 of the HDPF seeks 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.

This is reflected by Policy 8 of the UBPNP, which states, amongst other criteria, that the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings.

The housing development (The Driftway) is partly characterised by open boundary treatments to the front of any dwelling or to any exposed flank wall of any corner dwelling. This approach creates an attractive street scene and provides a sense of soft openness despite the relative density and spacing between the related dwellings. The side of the application site is marked by an open area of grassed land which includes a visually important tree. This open area of land immediately abuts the back edge of the pedestrian footway. The proposal entails the erection of a 2m high timber fence to enclose the land.

The proposal would create a significantly harder edge to the site and would result in a loss openness which is currently provided by the land. The proposal would significantly change and have an adverse impact upon the existing character in this section of The Driftway. The submitted plans also indicate a minimal setback from the footpath which would provide limited and inadequate opportunity to introduce soft planting, as such there would be minimal opportunity to ameliorate the harmful effects of the fence. It is therefore considered that the proposed fence would harmfully enclose a part of the open plan form of this location and would introduce an incongruous addition in the streetscene which is out of keeping with the character and appearance of the development.

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 acknowledged that the proposed fence would change the relationship between the application site and properties within the cul-de-sac to the west (northwest to southwest) the front elevations of which front into the proposed fence line. It is though considered that the height and separation would be such that no significant impact on light or outlook would result for occupants of these adjoining properties; with sufficient potential for adequate daylighting remaining despite the proposed fence.

It is further acknowledged that the proposal would increase the usable area of private amenity space for occupants of the development. It is though considered that the existing space attached to the dwellinghouse provide a level of amenity comparable to surrounding properties, and the provision of additional amenity space would not overcome or outweigh the visual harm identified above.

Highways

This application for the erection of a 2m high fence to the western boundary has been consulted with WSCC Local Highways Authority. The site is located on The Driftway, an un-classified no-through road subject to a speed limit of 30mph. The proposed fence would follow the existing boundary line of the property and would not encroach upon public highway. Whilst it is acknowledged that the proposal would obstruct visibility of vehicles travelling along this section of The Driftway, the LHA acknowledge that due to the road layout and on-street parking, vehicles would be anticipated to be travelling at a slow speed in this location. There are currently no restrictions in place by WSCC over the land in question that prevent the growth of a hedge, trees or other vegetation that could result in a similar obstruction to vehicular visibility.

Accordingly, the Local Highway Authority does not consider that this proposal would have an unacceptable impact on highway safety or result in ‘severe’ cumulative impacts on the operation of the highway network. There are considered to be no reasons to take a different view, and there are no transport grounds to resist the proposal.

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 not considered to comply with relevant local and national planning policies.

Recommendation: Application Refused

Reason:

1 The development would result in a harmful loss of openness and would appear a visually dominant and intrusive addition to the street scene which would detract from the prevailing character and appearance of the site and wider surrounding area, resulting in unacceptable harm to the recognisable sense of place in the locality. The proposal would therefore be contrary to Policies 32 and 33 of the Horsham District Planning Framework (2015), and Policy 8 of the Upper Beeding Parish Neighbourhood Plan (2018-2031).

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/24/0311

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Photos	Materials, as proposed	NONE	08.03.2024
Photos	Fence materials, as existing	NONE	08.03.2024
Location plan		NONE	26.02.2024
Block plan		NONE	08.03.2024
Elevation plan	Fence, as proposed	NONE	08.03.2024

DELEGATED

Case Officer sign/initial Steve Astles Date: 29.04.2024

Authorising Officer sign/initial Guy Everest Date: 03.05.2024