Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/1320
5 Brickyard Way, Faygate, Horsham, West Sussex, RH12 0AE

DESCRIPTION:
Erection of a single storey rear extension

RELEVANT PLANNING HISTORY:

DC/23/0556	Erection of a single storey rear extension (Lawful Development Certificate - Proposed)	Application Refused on 08.06.2023.

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

Neighbourhood Plan:
Colgate has not been designated as a Neighbourhood Plan area.

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:
Archaeology: No Objection. Although the site is within an Archaeological Notification Area DWS8519, Post-Medieval Iron Industry Area, Rusper and Colgate – the development impact is small and the site is within the wider development area that was subject to archaeological field evaluation by Archaeology South East in 2012, which demonstrated that significant archaeological remains were not present. We therefore have no archaeological recommendations in this case.

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
5 Brickyard Way is a detached dwelling in Faygate, located on the western side of Brickyard Way with a rear garden back-to-back with properties situated along Clifton Close. The site comprises a two-storey detached dwelling with an attached carport and rear detached single garage. Planning permission is required to erect a single storey rear extension at the site. The rear extension would extend 3.5m from the rear elevation and would have a flat roof, approximately 2.88m in height. Rooflights are proposed on the flat roof to provide natural light and ventilation.

The application follows a refused lawful development certificate at the site, which was refused due to condition 68 of the original permission (ref: DC/10/1612) which removed permitted development rights from the property.

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 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.

The proposal would be a subservient addition 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, with the introduction of a flat roof not unexpected or unduly prominent in a location such as this. 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 proposed extension would reflect the rear building line of the southern neighbour (3 Brickyard Way) with the layout in relation to the northern neighbour such that there would be noticeable

separation between buildings and amenity space. It is considered that the resulting relationship between properties is such that there would not be any unacceptable impacts on amenity, in accordance 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.

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 and finishes of all new external walls and windows of the development hereby permitted shall match in type, colour and texture those of the existing building.

Reason: 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/23/1320
(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
Block plan		07	06.07.2023
Location plan		NONE	23.01.2024
Floor plan	Ground, as existing and proposed	100	06.07.2023
Elevation plan	Rear, as existing	101	06.07.2023
Elevation plan	Rear, as proposed	102	06.07.2023

Elevation plan	Side, AA, as proposed	103	06.07.2023
Elevation plan	Side CC and DD, as existing	104	06.07.2023
Roof plan	As existing and proposed	105	06.07.2023
Elevation plan	Side, BB, as proposed	106	06.07.2023

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 12.03.2024

Authorising Officer sign/initial Guy Everest Date: 18.03.2024