DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1099
50 St Leonards Road, Horsham, West Sussex, RH13 6AR

DESCRIPTION:
Retrospective application for the erection of a single storey side / rear extension

RELEVANT PLANNING HISTORY:

DC/18/1865	Loft conversion with installation of a rear dormer, roof light to front roof slope and second floor window to west elevation (Certificate of Lawful Development - Proposed)	Application Permitted on 05.11.2018
DC/23/1197	Change of use of land to incidental garden and erection of fence adjacent to public highway.	Application Permitted on 03.05.2024

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

Horsham Blueprint Business Neighbourhood Plan (2019-2036):
Policy HB3: Character of development
Policy HB4: Design of development

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:
Object, due to overdevelopment (i.e. extends beyond ownership), is trespass where damage has been caused to the public's ability to use public land, not in keeping with local vernacular (timber cladding not in keeping) and that local drainage systems (Southern Water) may have been damaged / or made unmaintainable by the alleged build over of a public sewer to the rear of the property. Lack of sign-off by Building Control is also a concern as the structure may not be structurally safe in the long term.

Representations:
6 representations have been received (from 3 addresses) objecting to the application for the following reasons: -

- Overdevelopment of the property
- The design is not in keeping with the surrounding area
- Concerns over land ownership following retrospective application for change of use of the land
- Concerns of sewage following comments from Southern Water on previous application
- Amenity
- Overshadowing

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

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.

Policy HB3, Character of Development of the Horsham Blueprint Business Neighbourhood plan states that – "Development is expected to preserve and enhance the Character Area in which it is located. The design of new development should take account of the local context and reflect the character and vernacular of the area, using architectural variety in form and materials, in order to avoid building design that is inappropriate to the Plan area. Innovation in design will be supported, however, where this demonstrably enhances the quality of the built form in a character area".

50 St Leonards Road is a semi-detached dwelling in the built-up area of Horsham, located on the corner of St Leonards Road and Sandeman Way. Planning permission was previously granted under ref: DC/23/1197 for a 'change of use of land to incidental garden and erection of fence adjacent to

public highway', with this permission relating to land between the side (westernmost) elevation of the host building and the highway.

Planning permission is sought for the retention of a single storey side / rear extension which would not project beyond the pre-DC/23/1197 curtilage and has been finished in timber cladding. The extension is sited to the side and rear of the host building and is therefore clearly visible from Sandeman Way. The single-storey height of the extension is though such that is remains subservient in scale to the host building. The flat roof form is seen in association with existing similar forms to neighbouring properties, where extensions of a suburban form would not be unexpected.

The design is dominated by the use of external cladding with a black fascia and window / door frames. These materials are viewed alongside a backdrop of painted brick and render with varying colour, with the resulting contrast considered to be in keeping with this existing character and appearance. It is considered the use of timber cladding is not intrusive, and the use of painted brick would not be more preferable in this instance in this location.

For the reasons outlined, the proposal is 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. 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 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 180 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.

Other Considerations

The extension is contained within the incidental curtilage boundaries and reflects the earlier permission on the site for boundary fencing, ref: DC/23/1197.

The extension is sited in close proximity to a public sewer spur which terminates at the application site, with the arrangement seemingly comparable to that which would exist between the sewer and the previous single-storey side projection. It is noted that this matter would be addressed through either the Building Regulations or a build-over application required by Southern Water. The applicant is advised of this by way of an informative, and no further information in this regard is considered necessary as part of this planning application.

Conclusion

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

Recommendation: Application Permitted

NOTE TO APPLICANT
This decision does not give approval of plans for the purposes of the Building Regulations 1991 and separate such approval would be required. In addition, the applicant is advised that a public sewer is sited in close proximity to the extension. Southern Water has advised that this siting may require a build over application if it is not addressed through the Building Regulations. Further details on this can be found through the following link: -

https://www.southernwater.co.uk/building-and-developing/our-services/wastewater-services/build-over-a-sewer/

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/24/1099
(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
Elevation plan	Existing and Proposed West	NONE	18.11.2024
Elevation plan	Existing and Proposed West	NONE	18.11.2024
Floor plan	Existing Ground	NONE	18.11.2024
Floor plan	Proposed Ground	NONE	18.11.2024
Block plan		b90f/uk/1167480/1569276	28.10.2024
Location plan		NONE	17.07.2024

DELEGATED

Case Officer sign/initial Meg Bayliss Date: 13/01/2025

Authorising Officer sign/initial Guy Everest Date: 13.01.2025