Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1231
Deerswood, Southwater Street, Southwater, West Sussex, RH13 9BN

DESCRIPTION:
Erection of a Summer House. (Retrospective).

RELEVANT PLANNING HISTORY:

DISC/22/0090	Approval of details reserved by condition 3 to approved application DC/20/1164.	Application Permitted on 30.05.2023
DC/20/1164	Removal of Condition 6 of previously approved application DC/18/0363 (Retrospective application for the erection of a two storey detached dwelling, a detached triple garage with store and BBQ area, a detached garage, the creation of a new highway access with associated landscaping and amenity land) to allow for the bunds to the west and south of the site to be removed.	Application Permitted on 14.12.2021
DISC/19/0348	Approval of details reserved by conditions 2, 3, 4, 5, 6, 7, and 8 on DC/18/0363	Application Permitted on 14.05.2020
DC/18/0363	Retrospective application for the erection of a two storey detached dwelling, a detached triple garage with store and BBQ area, a detached garage, the creation of a new highway access with associated landscaping and amenity land.	Application Permitted on 29.08.2019
DC/17/1368	Proposed erection of single storey triple garage with store room and covered BBQ area	Application Permitted on 22.08.2017
DISC/16/0256	Approval of details reserved by conditions 3, 4, 5, 6, 7, 8, 10, 11, 13, 14,15, 16, 18, 20, and 21 on DC/15/2127	Application Permitted on 11.01.2017
DC/15/2127	Erection of two detached dwellings, two detached double carports, provision of public footpath and associated works	Application Permitted on 30.06.2016

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

Southwater Neighbourhood Development Plan (2019-2031)
Policy SNP16 – Design

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

Southwater Parish Design Statement 2011

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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:
The Parish Council objects to this application for the reason below:-
The overall height of the building higher than 2.5 metres to that of the normal ground level to the premises

Representations:
Two letters of objection received from two separate addresses objecting to the proposal on the following grounds:

- Ground level has been raised
- Loss of privacy
- Resultant harm to trees
- Increased noise from play equipment relocation
- Increased light pollution

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, in addition to a site visit conducted by the Officer.

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.

Policy SNP16 of the SNDP requires developments to be of a high quality design promoting appropriate design and safety.

The proposed development is for the erection of an outbuilding (summer house) at Deerswood, Southwater, RH13 9BN. The plot is located within the Built Up Area boundary of Southwater and there is a Tree Preservation Order located near the northern site boundary. The proposed location of the summer house would however pose no impact on the TPOs on site.

The proposed summer house would be approximately 3.7 metres wide and 3.1 metres deep, with an overall height of approximately 3.2 metres. External walls are proposed to consist of kiln dried western red cedar with a grey paint finish, whilst the roof is proposed to be tiled with cedar shingle over a heavy duty mineral felt.

The plot of Deerswood is the largest in size amongst residential plots in the surrounding area. The proposed materials would not appear out of context in its setting, given the incidental nature of the building, and overall would not cause any unacceptable impacts to the character and appearance of the existing dwelling and the wider area.

The proposal 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(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.

Policy SNP16 of the SNDP seeks to require developments to not cause unacceptable impacts on neighbouring amenity.

It is established that the proposed summer house would be particularly visible from dwellinghouses of 3 and 4 Roberts Close, as it would be located on top of a bund close to the western boundary of Deerswood, where the summer house is proposed to be located. The summerhouse would be set some 7.7m from the boundary of the property, and a further 6m to the nearest neighbouring elevation. Whilst site on elevated ground, the separation distance is considered sufficient to avoid harm by way of overbearing. Overall, the siting and scale of the proposed summer house would not result in an unacceptable overbearing impact to adjacent dwellings to the west.

Furthermore, the proposed development is sited within an established built-up residential area, and there is an existing degree of light and noise in the surrounding built environment. Considering the scale of the proposed summer house and its role as an outbuilding for the host dwelling and the absence of external lighting in this proposal, any noise or additional light generated as a result would not be considered unacceptable to neighbouring amenity.

In addition, no windows are proposed for the west-facing elevation of the proposed summer house. There would be no unacceptable changes to overlooking.

With the above in mind, the proposal is considered to accord with policy 33(2) as above.

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 186 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Other Matters

It is noted that neighbouring comments raise concerns with the land levels, and that this is not detailed within the submission. However, following the conclusion of a Planning Compliance Investigation (EN/23/0378), it was found that the wording on previously approved plans states "soil from existing bunds to be kept on site and distributed to form two levels of lawn" and as such there is currently no breach of planning control with regard to the alteration of land levels and the fact that the material from the bunds is not being removed from the site (as was stipulated on the original approval DC/20/1164).

Concerns raised regarding neighbouring TPO trees are also acknowledged. As above, the land levels are not subject of this application, thus the siting of the summerhouse in the proposed location would have no impact on the neighbouring protected trees.

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 to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail 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/24/1231
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received

			Date
Plans	Proposed Garden Design	02.22.1183.1	15.08.2024
Elevation plan	Proposed	0001	20.09.2024
Floor plan	Proposed	0001	20.09.2024
Location plan		NONE	20.09.2024
Block plan		NONE	20.09.2024

DELEGATED

Case Officer sign/initial Joshua Lee Date: 08.11.2024

Authorising Officer sign/initial RHERMITAGE Date: 12.11.2024