



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Head of Development and Building Control

**DATE:** 6 September 2022

**DEVELOPMENT:** Erection of a two-storey and single storey rear extension.

**SITE:** 13 Trefoil Close Horsham West Sussex RH12 5FQ

**WARD:** Holbrook East

**APPLICATION:** DC/22/0469

**APPLICANT:** **Name:** Mr & Mrs Cook **Address:** 13 Trefoil Close West Sussex  
Horsham RH12 5FQ

**REASON FOR INCLUSION ON THE AGENDA:** The applicant is an employee of Horsham District Council.

**RECOMMENDATION:** To approve planning permission subject to appropriate conditions

## **1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

1.2 The application is seeking planning permission for the erection of a two-storey and single storey rear extension. The proposed extensions would have an overall height of approximately 6.2m and a width of 3.5m. The proposed extension would be constructed in material to match the existing dwelling. In order to facilitate the proposed extension, an existing single storey rear conservatory would be removed. The proposal also includes a single-storey infill extension to the rear east side of the dwelling with a lean-to roof.

1.3 It is noted that the application has been amended as a result of officer concerns regarding impact on neighbouring amenity with the proposed first floor element reduced in depth.

### DESCRIPTION OF THE SITE

1.4 The application site comprises a two-storey detached house that occupies a moderately sized plot in Trefoil Close within the built-up area boundary of Horsham. The dwelling is part of a row of houses linked by garages. To the rear is the Holbrook Club and an area of unoccupied public land. It is noted that the surrounding area consists of a mixture of property of varying designs and extensions present to the rear elevations.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

- 2.2 The following Policies are considered to be relevant to the assessment of this application:

#### 2.3 **National Planning Policy Framework**

#### 2.4 **Horsham District Planning Framework (HDPF 2015)**

Policy 1 - Strategic Policy: Sustainable Development

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Supplementary Planning Guidance:

### RELEVANT NEIGHBOURHOOD PLAN

- 2.5 North Horsham Parish Council voluntarily withdrew their parish from the Neighbourhood Development Plan process on the 30 July 2018.

### PLANNING HISTORY AND RELEVANT APPLICATIONS

None relevant

## 3. OUTCOME OF CONSULTATIONS

- 3.1 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](http://www.horsham.gov.uk)

### OUTSIDE AGENCIES

- 3.2 **Natural England: (Standing Advice) Objection:**

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.

- 3.2 **North Horsham Neighbourhood Council:** Objection to initial design and subsequent amendments on grounds of overdevelopment and design

## PUBLIC CONSULTATIONS

3.3 A total of 9 letters of objection were received from 3 separate householders during three separate consultations periods. These representations can be summarised as follows:

- Extension would block out natural light
- Proposed extension will have an overbearing impact on property and garden
- Out of character for the area and too large for the surroundings, with the projection to the rear being out of keeping with the adjacent properties.
- Loss of privacy
- Access to neighbouring property, extension sits along the boundary line.

## 4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE EQUALITY AND HUMAN RIGHTS

4.1 Under the Equality Act 2010, the Council has a legal duty to pay 'due regard' to the need to eliminate discrimination and promote equality, fostering good relations in respect of Race, Disability, Gender including gender reassignment, Age, Sexual Orientation, Pregnancy and maternity, Religion or belief. The Equality Act 2010 will form part of the planning assessment below.

Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application.

Consideration of Human Rights and Equalities forms part of the planning assessment below.

## 5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

## 6. PLANNING ASSESSMENTS

6.1 The main issues are the principle of the development in the location and the effect of the development on;

- The character of the dwelling and visual amenities of the area
- The amenities of the occupiers of adjacent properties

### **Design and Appearance**

6.2 Policy 32 of the Horsham District Planning Framework Policy (HDPF) relates to improving the quality of new development. It states that permission will be granted for developments which ensure the scale, massing, and appearance of the development is of a high standard of design which relates well to the host building and adjoining neighbouring properties.

6.3 Policy 33 states amongst other criteria that extensions should have regard to their natural and built surroundings in terms of their design, scale and character. An extension should be of a scale which is sympathetic to and does not overpower the original building.

6.4 The proposed erection of a two storey and single storey rear extension would be of an appropriate scale when viewed against the existing dwellinghouse. The proposed single

storey section of the extension extends no further than 3.5m from the rear elevation, which is a reduction from the existing conservatory that is replaced, with an eave's height of 2.53m, which again would be similar to the existing conservatory. As amended, the two-storey element represents a subservient form of development, with a ridgeline that sits below the host property. It extends 2.25m from the rear elevation and sits comfortably within the existing footprint of the conservatory.

- 6.5 As matching materials to the existing dwellinghouse are proposed in the design, it is considered that the proposal would reflect the form, scale and detailing of the existing building and appear a coherent and sympathetic addition.
- 6.6 It is noted that there is evidence of similar two-storey rear extensions within the street and wider locality; for example, at 3 Trefoil Close (NH/111/03) and 6 Trefoil Close (NH/30/95). The proposal is not considered to be out of character nor is it considered an uncommon form of development within a dense residential area such as this, with a number of dwellings having at least a single storey rear projection on their property. Overall, the proposed development is considered to comply with Policies 32 and 33 of the HDPF.

### **Impact on Neighbouring Amenity**

- 6.7 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.
- 6.8 As detailed above the proposed-first floor has been amended in terms of overall size and depth in order to ensure that there would be no detrimental impact on neighbouring amenity.
- 6.9 It is noted that the neighbouring property at 12 Trefoil Close, which is the closest property to the proposal to the west, has a rear window close to the curtilage boundary which serves a dining / utility room area. However, this window is considered to be a secondary window, as the main dining room area further along the garden towards the west benefits from a large fully glazed bay window at the rear, as well as two rooflights, which are considered primary sources of light to this area. It should also be noted that no.12 would be separated from the proposed extensions by an existing gap between the houses. As detailed on the plans, the proposed first floor element of the extension would adhere to the 45 degree rule when measured from the secondary window which primarily serves the utility area, and as such, it is not considered that the proposal would not result in a harmful loss of light or outlook to the neighbouring property which would warrant a refusal.
- 6.10 It is noted that a high level side window is proposed at first floor level to the eastern elevation of the proposed extension. In order to ensure that there is no impact on neighbouring amenity in this regard, a condition is recommended requiring that this window is positioned at least 1.7m above floor level and is obscure glazed.
- 6.11 In relation to adjacent property to the east (14 Trefoil Close), the proposed infill extension would not extend beyond the existing addition to the rear of the garage at no.13. The proposed single and two storey extensions are also set a suitable distance from this property. As such, there would be no impact on no.14 in relation to loss of light, outlook or an increased sense of enclosure.
- 6.11 Taking the above into account, overall, the proposal would not result in harm to neighbouring amenity, in accordance with Policy 33.

### **Water Neutrality**

- 6.12 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**

- 6.13 Overall, the proposed two-storey and single storey rear extension is appropriately designed and scaled, with evidence of similar developments within the wider street scene. The proposal is also considered to be acceptable on amenity grounds and as such, the application is considered to be in accordance with Policy 32 and 33 of the Horsham District Planning Framework (2015).

## **7. RECOMMENDATIONS**

- 7.1 It is recommended that planning permission is granted subject to appropriate conditions as detailed below.

### Conditions:

- 1 **Approved Plans**
- 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, windows and roofs 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).
- 4 **Regulatory Condition:** The lowest part(s) of the proposed window to the eastern side facing elevation at first floor level of the proposed development hereby permitted, indicated on drawing C4/13-1 REV 3 received 19 July 2022, shall be no less than 1.7 metres above the floor of the room in which it is installed and shall be fitted with obscure glazing. Once installed the window shall be retained at the minimum height with obscured glazing permanently thereafter.  
  
Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/22/0469