Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1295
Sir Roberts Farm, Goose Green Lane, Goose Green, West Sussex, RH20 2LW

DESCRIPTION:
Prior Approval for the enlargement of dwellinghouse by erection of an additional storey resulting in an increase in height of 2.72mtrs.

RELEVANT PLANNING HISTORY:

DC/20/0397	Prior approval for the change of use of building from light industrial (Class B1(c)) to a dwellinghouse (Class C3)	Prior Approval Required and PERMITTED on 21.04.2020
DC/20/0419	Prior approval for the change of use from light industrial (Class B1(c)) to dwellinghouses (Class C3)	Prior Approval Required and PERMITTED on 22.04.2020
DC/20/0847	Outline application for conversion of existing barn to three bedroom residential property	Application Permitted on 30.10.2020
DC/20/2606	Change of use and associated minor alterations to an existing building (Class E) to a three-bedroom residential dwellinghouse (Class C3).	Application Permitted on 05.03.2021
DC/23/1546	Conversion of existing barn to three bedroom residential property.	Application Permitted on 06.03.2024
DC/23/1549	Change of use and associated alterations to an existing timber frame building (currently Use Class B1(c)) to a three-bedroom residential dwelling house (Use Class C3).	Application Permitted on 06.03.2024
DC/23/1550	Change of use and associated minor alterations to an existing building (currently Use Class E(g)(iii)) to a one-bedroom residential dwelling house (Use Class C3).	Application Permitted on 06.03.2024

RELEVANT PLANNING LEGISLATION
The Town and Country Planning (General Permitted Development) (England) Order 2015.
Schedule 2, Part 1, Class AA - enlargement of a dwellinghouse by construction of additional storeys

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

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

The main issue is whether prior approval is required for the proposed addition of a first floor to two existing single storey bungalows under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Class AA - enlargement of a dwellinghouse by construction of additional storeys

Permitted development

AA. The enlargement of a dwellinghouse consisting of the construction of—

(a) up to two additional storeys, where the existing dwellinghouse consists of two or more storeys: or

(b) one additional storey, where the existing dwellinghouse consists of one storey, immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purpose of that construction.

Development not permitted

AA.1. Development is not permitted by Class AA if—

Criteria		Yes	No
(a)	permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, O, P, PA or Q of Part 3 of this Schedule (changes of use);	☐	☒
(b)	the dwellinghouse is located on— (i) article 2(3) land; or (ii) a site of special scientific interest;	☐	☒
(c)	the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;	☐	☒
(d)	the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise;	☐	☒
(e)	following the development, the height of the highest part of the roof of the dwellinghouse would exceed 18 metres:	☐	☒
(f)	following the development, the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than— (i) 3.5 metres, where the existing dwellinghouse consists of one storey: or	☐	☒

	(ii) 7 metres, where the existing dwellinghouse consists of more than one storey:		
The additional storey would increase the overall height by approximately 2.6m.			
(g)	the dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres— (i) in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party wall (or, as the case may be, which has a main wall adjoining its main wall); or (ii) in the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated.	☐	☒
(h)	the floor to ceiling height of any additional storey, measured internally, would exceed the lower of— (i) 3 metres; or (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;	☐	☒
(i)	any additional storey is constructed other than on the principal part of the dwellinghouse;	☐	☒
(j)	the development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development; or	☐	☒
(k)	the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.	☐	☒

Conditions

AA.2.— (1) Development is permitted by Class AA subject to the conditions set out in sub-paragraphs (2) and (3).

(2) The conditions in this sub-paragraph are as follows—

		Yes	No
(a)	the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;	☒	☐
Plans indicate that proposed materials would match those of the existing dwelling.			
(b)	the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house;	☒	☐
The North-West and South-East elevations are considered to the side elevations. No first storey windows are proposed on these elevations.			
(c)	the roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse; and	☒	☐
The pitch of the proposed roof would match that of the existing dwelling.			

(d)	following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.	☒	☐
There is nothing to suggest building would be used other than as dwellinghouse (C3)			

(3) The conditions in this sub-paragraph are as follows—

(a) before beginning the development, the developer must apply to the local planning authority for prior approval as to—

Criteria	
(i)	impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;
The dwelling sits within a curtilage and site that is adequately separated from surrounding dwellings. The dwelling is well-screened by the mature trees and vegetation along the boundary with the highway and the nearby neighbouring property. It is also considered that the proposed development has been designed to address the potential amenity conflict; no windows on the East or West elevations. The proposal is therefore considered to comply with the above criteria.	
(ii)	the external appearance of the dwellinghouse, including the design and architectural features of— (aa) the principal elevation of the dwellinghouse, and (bb) any side elevation of the dwellinghouse that fronts a highway;
The existing building is a single storey pitched roof bungalow, the resultant appearance would retain the overall character of the building and the proposed addition would sit appropriately within the context of the existing building. *The surrounding area is characterised by sporadic rural dwellings with variable curtilages that remain sufficiently separated from one another. The proposed development would blend well into the surrounding environment. It would not be considered a prominent addition when viewed from the principal elevation, or the surrounding area and would be adequately sheltered from the highway by mature screening and vegetation. It maintains the rural characteristics of the area by keeping design features and matching materials to that of the existing dwelling. The proposal is therefore considered to comply with the above criteria.*	
(iii)	air traffic and defence asset impacts of the development; and
The application site is not located within proximity to an aerodrome, technical site or defence asset as identified on any safeguarding map. Given the modest increase in height to the dwelling, it is not considered that the proposal would have an adverse impact on air traffic or defence assets. The proposal is considered to apply with the above criteria.	
(iv)	whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012 issued by the Secretary of State;
The proposed would not impact any protected views, as identified in the Directions Relating to Protected Vistas dated 15 March 2012 issued by the Secretary of State. The proposal is considered to comply with the above criteria.	

(b) before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development,

which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated.

A construction plan has been submitted with this application for Prior Approval.

Overall, the proposals are considered to comply with the limitations and Restrictions as set out under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. As such, it is recommended that Prior Approval is permitted.

Recommendation: Prior Approval Required and PERMITTED

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/24/1295

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Site plan	Existing	A2/SP/E	26.08.2024
Site plan		none	26.08.2024
Details plan	Construction site	none	26.08.2024
Location plan		none	26.08.2024
Supporting Statement	Planning	none	26.08.2024
Floor plan	Existing	A2/E2/FP	26.08.2024
Floor plan	Proposed	A2/E2/FP	26.08.2024
Elevation plan	Existing	A2/E1/E	26.08.2024
Elevation plan	Proposed	A2/E2/E	26.08.2024
Elevation plan	Proposed	A2/E1/E	26.08.2024
Supporting Docs	Other Properties	none	26.08.2024
Supporting Statement	Water Neutrality	none	26.08.2024

DELEGATED

Case Officer sign/initial	Meg Bayliss	Date:	25/09/2024
Authorising Officer sign/initial	RHERMITAGE	Date:	16.10.2024