Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1027
12 Saville Gardens, Billingshurst, West Sussex, RH14 9RR

DESCRIPTION:
Prior Approval for the erection of a single storey rear larger home extension, which would project 6.00m from the rear elevation, comprising a maximum height of 3.00m and an eaves height of 2.79m

RELEVANT PLANNING POLICIES
The Town and Country Planning (General Permitted Development) (England) Order 2015.
Schedule 2, Part 1, Class A - The enlargement, improvement or other alteration of a dwellinghouse.

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:
Three representations were received, objecting to the proposal for the following reasons: -

- Overshadowing.
- Trees have been removed from the site in the past, potential impact on remaining trees.
- Concerns as to how the structure will look.
- Impact on construction work on adjoining properties / land.
- The extension would be built over an existing foul drain.

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 consideration with regards to this application is whether the proposed development accords with Class A, Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
The GPDO states -

A. The enlargement, improvement or other alteration of a dwellinghouse.

(g) for a dwellinghouse not on Article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and -

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwelling, or 6metres in the case of any other dwellinghouse, or;

(ii) exceed 4metres in height.

The proposed depth of the extension would meet the limitation set out in Class A, A.1 (g).

The property is not on Article 2(3) land and permitted development rights have not been removed as part of an earlier planning application on the site.

The prior approval process allows the Planning Authority to refuse an application where a proposed development does not comply with the applicable conditions, limitations or restrictions applicable to development permitted by Class A (A.4 (3)). For the purposes of permitted development, and as confirmed in the Permitted Development Technical Guidance, it is the whole of the enlarged part of the dwelling that is taken into account. Based on the information submitted there is no evidence at this stage that the development would not be capable of meeting the conditions, limitations or restrictions of Class A. For this reason prior approval is not required.

As the application has received objections to the proposed development prior approval is required as to the impact of the proposed development on the amenity of any adjoining premises.

The application site comprises a semi-detached dwelling with the extension projecting 6m from the rear elevation. The adjoining property within the pair features a rear conservatory, with the proposed extension approximately 1.5m deeper than this adjoining structure. It is considered that the adjoining structure would screen the majority of the proposed extension, with the remaining visible element not of a scale which would lead to an unacceptable loss of light or outlook. The window openings to the east and northern elevations of the neighbouring property and the related rear garden area would continue to receive acceptable levels of light and outlook, and no harmful loss of privacy would result from the proposed ground floor openings. The amenity impacts on this adjoining premises are therefore considered acceptable.

The siting of the extension and the resulting relationship with adjoining properties is such that no unacceptable loss of amenity would result to other adjoining premises.

Other matters

It is noted that representations have been received in respect of other matters, including the impact on trees, design, impact on construction on adjoining structures / boundaries, and the relationship with existing drains in the area. The larger home extension prior approval process does though only allow consideration of the impact of the proposed development on the amenity of any adjoining premises. It is not therefore possible to consider any other matters further as part of this application.

Conclusion

Prior approval is required as objections have been received from an adjoining premises. It is though considered, for the reasons outlined above, that the proposal would not result in unacceptable harm to amenity. It is therefore recommended that prior approval be granted.

Recommendation: Prior Approval Required and Approved

Plans list for: DC/24/1027

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan	As existing	E02	05.07.2024
Elevation & Floor plan	Roof, as existing	E01	05.07.2024
Location plan	As proposed	P03	05.07.2024
Floor plan	Roof, as proposed	P01	05.07.2024
Elevation plan	As proposed	P02	05.07.2024

DELEGATED

Case Officer sign/initial Meg Bayliss Date: 14/08/2024

Authorising Officer sign/initial Guy Everest Date: 16.08.2024