Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1162
Blackthorne Barn, Marringdean Road, Billingshurst, West Sussex, RH14 9HD

DESCRIPTION:
Addition of first floor bedrooms within the roof space (Retrospective).

RELEVANT PLANNING HISTORY:

BL/76/99	Erection of 1 bungalow Site: Little Gillmans Farm Marringdean Road Billingshurst	Application Permitted on 12.08.1999
BL/132/01	Removal of conditions 9 & 11 and variation of condition 10 on bl/76/99 Site: Blackthorne Barn Marringdean Road Billingshurst	Application Refused on 15.11.2001
DC/16/0291	Outline application for the demolition of existing family dwelling and barns and redevelopment to provide 8 custom build dwellings with all matters reserved	Application Refused on 22.06.2016
DC/24/0785	Removal of Condition 9 of previously approved application BL/76/99 (Erection of 1 bungalow) Relating to the occupation of the dwelling.	Application Permitted on 18.07.2024

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 25- Strategic Policy: The Natural Environment and Landscape Character
Policy 26- Strategic Policy: Countryside Protection
Policy 28- Replacement Dwellings and House Extensions in the Countryside
Policy 31- Green Infrastructure and Biodiversity
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles
Policy 40- Sustainable Transport
Policy 41- Parking

Neighbourhood Plan:
The Billingshurst Neighbourhood Plan was formally made at Full Council on 23 June 2021.
BILL 2: Housing Design and Character

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:

HDC Compliance: Comment - On 12th December 2001, an enforcement notice (E1270) was issued for unauthorized residential accommodation in the roof, violating condition 11 of application BL/76/99 after BL/82/01 was refused. The appeal was dismissed, and the notice was upheld, leading to the removal of the unauthorized accommodation in 2002. The upper floor was deemed suitable only for storage, as any residential use would have violated Policy CS19 of the Local Plan.

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:
No Objection

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 application has been assessed on the basis of the submitted details, together with the planning history of the site and adjoining properties, available images and photographs from previous planning application determined in 2024. These details were considered sufficient to allow the application to be properly considered and determined.

Principle of Development

The site’s planning history demonstrates a longstanding association with agricultural use, with previous applications, such as BL/82/01 and BL/132/01, being refused to maintain an affordable agricultural dwelling. The refusal of these applications primarily aimed to prevent an increase in the property's value through additional habitable floorspace and to retain the condition restricting the first-floor accommodation to storage purposes only.

The enforcement notice (E1270) issued in 2001, upheld by the dismissal of the subsequent appeal, solidified the Council’s position regarding the upper floor's usage. Compliance with the notice was achieved in 2002, and residential accommodation was removed. The Inspector’s decision (Para 34)

affirmed that any residential use of the upper floor would be contrary to Policy CS19 of the Local Plan in force at the time, which aimed to control the conversion of rural buildings and maintain affordable housing.

Recent developments in planning policy, however, indicate a shift. The approval of application DC/24/0785, which removed the occupancy restriction related to agricultural employment, highlights the evolving character of the area and planning requirements. The Council's recognition of this change, coupled with the fact that the first-floor accommodation has existed for many years without material alterations to the dwelling, supports the application under current policies.

The Proposal is further supported by Policy 28 of the Horsham District Planning Framework, which permits alterations and extensions in the countryside, provided they are proportionate and do not detract from the dwelling's character. The use of the existing roof space for habitable accommodation falls within these parameters, as the extension does not increase the footprint or negatively affect the surrounding environment.

Thus, the principle of development is deemed acceptable in this instance, with no conflict arising from Policy 28 of the HDPF, as the additional floorspace is contained within the original structure.

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 Bill 2 of the Billingshurst Neighbourhood Plan states development proposals should be guided by the Billingshurst Parish Design Statement and, where practicable, should incorporate features as appropriate to their scale and nature into the overall design of development, in reference to this application the following features within the policy are of importance:

- Required to reflect the scale and local vernacular of the surrounding buildings.
- Use of materials that are in keeping with those used in existing buildings in the immediate locality.

In this case, the accommodation has been integrated into the roof space without altering the building's external form or increasing its height or massing. The dwelling retains its original appearance, and the conversion has not resulted in any visual intrusion or adverse impact on the character of the rural area. The lack of external changes ensures that the development blends with the surrounding landscape, maintaining the open character of the countryside.

Furthermore, the conversion respects the principles of local distinctiveness and ensures that the scale and massing are consistent with the existing dwelling. The Inspector's previous concerns regarding residential use of the first floor were based on policies and circumstances at the time. However, given the changes in planning policy and the surrounding development, this conversion does not conflict with current design standards.

As a result, the conversion complies with Policy 33, ensuring that the development harmonizes with its rural surroundings and preserves the visual quality of the area. Additionally, the dwelling's established presence and sympathetic design ensure no detrimental impact on the character or appearance of the wider landscape.

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

Conclusion

The conversion is considered to comply with relevant local and national planning policies. The site's planning history, which initially sought to restrict habitable use of the upper floor, has been superseded by changes in planning policy and the evolving character of the area, as demonstrated by the approval of DC/24/0785. The conversion of the roof space into habitable accommodation aligns with Policy 28 of the Horsham District Planning Framework, which allows for proportionate extensions in the countryside without negatively affecting the character of the existing dwelling or surrounding environment.

In terms of character and appearance, the conversion respects the principles of local distinctiveness, as required by Policies 32 and 33 of the HDPF and Policy Bill 2 of the Billingshurst Neighbourhood Plan. The use of the roof space for accommodation has not altered the building's external form, ensuring that the development remains sympathetic to its rural surroundings and does not detract from the visual quality of the area. The design and massing are consistent with the existing structure, with no visual intrusion or adverse impact on the open countryside.

Additionally, the conversion does not cause unacceptable harm to neighbouring amenity, in line with Policy 33 of the HDPF. The siting and layout of the conversion are considered appropriate, ensuring there is no detrimental impact on the privacy or amenity of nearby properties.

Regarding water neutrality, the Proposal does not result in an increased demand for water that would adversely impact the integrity of the Arun Valley SAC, SPA, or Ramsar sites, and therefore complies with Policy 31 of the HDPF and national policy requirements.

Taking all the above into account, the conversion is deemed acceptable, and it is recommended that planning permission be granted.

Recommendation: Application 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/24/1162

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Existing	02	30.07.2024
Supporting Statement	Planning and water	NONE	30.07.2024
Location & Block plan		NONE	30.07.2024

DELEGATED

Case Officer sign/initial	Shazia Penne	Date:	04.10.2024
Authorising Officer sign/initial	RHERMITAGE	Date:	04.10.2024