Blackthorne Barn
Little Gillmans Farm
RH14 9HD

Retrospective first floor
Planning & Water Neutrality
Statement

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1. Introduction

1.1 This is a retrospective application for the creation of habitable accommodation within the roof space ('***the Proposal***') to Blackthorne Barn, Little Gillmans Farm, Marringdean Road, Billingshurst ('***the site***'). The accommodation provides three bedrooms versus the original one ground floor bedroom.

1.2 Historic applications for removal of conditions 9 limiting occupation to those employed in agriculture, and 11 to prohibit use of the first floor as accommodation (planning refs. BL/82/01 refused by notice dated 08 August 2001 & BL/132/01 refused by notice dated 15 November 2001) sought to remove the occupancy condition and the prohibition on accommodation in the roof space. The reason for refusing these applications was to retain an affordable agricultural dwelling and prevent an increase in value resultant from additional habitable floorspace.

1.3 Recent planning approval DC/24/0785 revisited the need for restrictive occupancy and sought removal of condition 9 of previously approved application BL/76/99 (Erection of 1 bungalow) limiting occupation to employed or last employed in agriculture. The Council agreed to remove the condition and granted consent by notice dated 18 July 2024.

1.4 The Council have known for a significant period that the dwelling does already have a first floor used as bedrooms. Enforcement investigations proved this. This application now seeks to revisit the restriction via a retrospective householder planning application. The implication of removing condition 9 pursuant to BL/76/99 is that there is no reason to refuse the grant of planning permission for this householder extension.

2. Planning matters

2.1 Relevant local plan policies together with any relevant national policy and guidance are relevant and are contained in the following:

- Horsham District Planning Framework (November 2015) ('***the Local Plan***');
- National Planning Policy Framework ('***Framework'***).

2.2 Policy 1 (Strategic Policy; Sustainable Development) of the Local Plan states that when considering proposals, the Council will take a positive approach that reflects

the presumption in favour of sustainable development contained in the Framework. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2.3 The Framework states at paragraph 38 that decision makers should approach decisions on proposed development in a positive and creative way, work pro actively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, and seek to approve applications for sustainable development where possible.

2.4 In this instance, the matter needs to be looked at in the round, and in the context of that the proposal is very small, has been in situ for many years previously and has not materially changed the dwellinghouse.

Principle of development

2.5 Policy DM28 - Replacement Dwellings and House Extensions in the Countryside of the Local Plan allows for the alteration and extension of houses within the countryside. The policy states as follows:

'*Outside the defined built-up areas, house extensions, replacement dwellings and ancillary accommodation will be supported if the development can be accommodated appropriately within the curtilage of the existing dwelling. In addition:*

1. *Replacement dwellings will only be supported on a one for one basis and if it can be demonstrated that the property is not derelict.*
2. *Replacement dwellings should not be disproportionate to the size of the existing dwelling whilst extensions should also, and in addition, be in keeping with the scale and character of the existing dwelling. The cumulative impact of existing extensions will be taken into account.*
3. *Ancillary accommodation and garaging will be required to meet with all other appropriate policies, particularly design principles, and demonstrate that the need for additional space cannot be met from an existing dwelling or buildings suitable of conversion on the site. The size of any new out building should have regard to the dwelling they serve and should be grouped with the house. The use of ancillary accommodation as a separate dwelling will not be supported, and*
4. *Garages and any new outbuildings should have regard to the dwelling they serve*

and should be grouped with the house. The use of ancillary accommodation as a separate dwelling will not be supported.

5. *Subsequent extensions to converted agricultural buildings which detract from the original form and character will be resisted.*"

2.6 The policy is silent on extensions. Because the additional floorspace makes use of the existing dwelling and occupies the roof space, there is no negative impact arising from this Proposal. As such there is no conflict with Policy DM28.

Design and appearance

2.7 The LP Policy 33 goes on to require development proposal to:

"*[...]*

3.Ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the sky line and important views;

4.Are locally distinctive in character, respect the character of the surrounding area (including its overall setting, townscape features, views and green corridors) and, where available and applicable, take account of the recommendations/policies of the relevant Design Statements and Character Assessments;

[...]"

2.8 It cannot be said that the Proposal does anything but relate sympathetically and is complaint with relevant policy requirements. As such the proposal complies with Policy 33 of the Local Plan.

Water Neutrality

2.9 The Proposal would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction. The increase of occupancy from one bedroom at 1.32 occupants to three bedrooms at 2.47 occupants does create a material impact on the Sussex North Water Zone. However, water neutrality became an issue in March 2022. The first floor accommodation and

impact happened pre water neutrality as demonstrated by enforcement notice E1270 from late 2001 and early 2022. In this case, the dwelling, with three bedrooms, formed the baseline position for water usage within the Sussex North Water Zone If the application were for a proposed increase in bedrooms, then absolutely, proving water neutrality would be justified. In this case, the breach of planning pre-dated water neutrality by twenty years. In this context, demonstrating water neutrality is not required. The proposal therefore complies with Policy 31 and protects the Arun Valley SPA.

3. Conclusions

3.1 Taking all the above into account, retrospective planning permission is justified.