

STATEMENT OF CASE – DC/26/0376

Appeal under Section 78 of the Town and Country Planning Act 1990

Appeal Site: 1 Bailey Close, Horsham, West Sussex RH12 5QR

Description of Development:

Erection of a single-storey front extension, a two-storey rear and side extension with a single-storey infill rear extension.

1. Introduction

This Statement of Case is submitted in support of an appeal against the decision of Horsham District Council to refuse planning permission for the above development.

The sole reason for refusal states that the proposal, by reason of its cumulative scale, bulk and extent, would constitute an excessive and disproportionate form of development that would fail to respect the character and appearance of the surrounding area, contrary to Policies 32 and 33 of the Horsham District Planning Framework (2015).

The appellant respectfully disagrees with this conclusion.

2. Site Context

The appeal property is situated within Bailey Close, an established residential cul-de-sac characterised by detached and semi-detached dwellings of varying designs, sizes and appearances. The area does not exhibit a rigid or uniform architectural form, and many properties have been altered and extended over time. See below photographs of properties on Bailey Close.



Photo: other properties on Bailey Close



Photo: other properties on Bailey Close

The property also sits on the corner of Meadow Farm Lane where there is more of a pattern but still features properties in differing shapes, sizes and styles. See photos below:





Photos: other properties on Meadow Farm Lane

In addition, the proposal reflects the existing built form and therefore does not harm the character of the area. As a result, the character of the area is one of evolution and variation rather than strict consistency.

3. Planning History

Part of the proposed front extension has previously been granted planning permission under application DC/23/0642, despite extending beyond the prevailing building line and established pattern of development along Meadow Farm Lane. This approval establishes the principle that extensions to the dwelling can be accommodated without resulting in unacceptable harm to the character and appearance of the surrounding area.

The previous grant of planning permission is a significant material consideration in the determination of this appeal. It demonstrates that the Local Planning Authority has already accepted, in principle, that additional development at the site is appropriate and would not adversely affect the visual amenity of the area. Accordingly, substantial weight should be afforded to this earlier decision when assessing the current proposal.

Furthermore, the current scheme builds upon this previously accepted form of development and does not introduce any materially greater impacts than those already considered acceptable by the Council. As such, it would be inconsistent to conclude that the proposal now gives rise to unacceptable harm to the character and appearance of the area.

4. Scale and Design of the Proposal

The proposed extensions have been designed to provide additional accommodation for modern family living whilst remaining subservient to the host dwelling.

The development has been carefully designed so that:

- The proposed extensions would not result in any unacceptable impact on neighbouring residential amenity. The Council's own assessment confirms that the development would not give rise to adverse effects in terms of overbearing impact, loss of light, or overshadowing, and that the existing relationship between properties means that overlooking would remain unchanged.
- Adequate private amenity space would continue to be provided for the occupiers of the property. The assessment acknowledges that sufficient garden space is retained within the proposed design, ensuring that the living conditions of future occupants would not be compromised.
- The proposed front extension remains single storey in scale and would not appear dominant or incongruous within the street scene. Furthermore, its forward projection aligns with the adjoining neighbouring property, which already extends further forward than No. 1 Bailey Close. As such, the proposal would maintain a balanced and consistent building line and would not appear unduly prominent when viewed from the public realm (see accompanying photograph) below.



- The proposed two-storey rear extension has been carefully positioned to minimise its visual impact from public viewpoints. The extension would align with the rear building line of the adjoining neighbouring property and would therefore appear as a natural continuation of the existing built form rather than an isolated or overly prominent addition (see photograph below).
- Given its location to the rear of the property and its relationship with neighbouring development, the extension would have limited visibility from the public realm and would not result in any material harm to the character or appearance of the street scene. Consequently, the proposal would integrate successfully within its surroundings and would not appear unduly dominant or incongruous. See photo below:



One of the concerns raised within the officer's assessment relates to the property's prominent corner plot position and the fact that it is one of the first dwellings visible upon entering Bailey Close. However, the corner plot location also presents several characteristics that reduce any potential visual impact of the proposed development.

- The proposed two-storey side extension would retain generous spacing to both the front and side boundaries. Importantly, there are no dwellings directly opposite the side elevation, resulting in a more open setting than is typically found within the estate. See photos below:



Photo: front view from house

- The extension would continue to provide clear visual separation between neighbouring buildings and would not give rise to a terracing effect or an unacceptable sense of enclosure. See photo below:



Photo to the right of the house

- From the front, the side extension will sit behind an existing substantial planting. As such, the visual impact of the proposed extension would be significantly softened by the retention of existing mature boundary planting and landscaping, which provides effective screening from public viewpoints and assists the development in integrating with the established character of the street scene. See photo below of existing bush:



- There are several examples within the local area where planning permission has been granted for two-storey side extensions on prominent corner plots. For example, application DC/17/2679 relates to a highly visible property situated on a busy road and in an open setting, where the extension is readily seen by the public. Similar approvals can also be found under applications DC/09/2098 and DC/20/0619.
- Importantly, none of these approved schemes required the extensions to be set back from the principal elevation or set down from the main roof ridge. Application DC/09/2098 is particularly relevant, as it relates to a property within an area that

exhibits an established street pattern and involved an increase in scale broadly comparable, in percentage terms, to that proposed at 1 Bailey Close.

- These examples demonstrate that the local planning authority has previously accepted two-storey side extensions of a similar scale and form in more prominent and sensitive locations, indicating that the proposal at 1 Bailey Close would not appear out of keeping with the character of the area.
- Please note, we did not have any objections from any neighbours that would potentially be directly impacted by the side extension.
- Accordingly, whilst the property occupies a prominent corner position, this in itself should not preclude development, particularly where the proposal maintains appropriate spacing, respects the established character of the area and avoids causing demonstrable harm to the street scene.

Overall, the proposal:

- Utilises materials that match the existing dwelling, ensuring a coherent and sympathetic appearance.
- The overall design reads as a natural evolution of the existing property rather than an incongruous addition.
- Although the Council considers the cumulative impact of the extensions to be excessive, it is submitted that the proposal remains proportionate to the size of the plot and does not represent overdevelopment.
- The dwelling will retain its visual identity and will continue to sit comfortably within its spacious residential setting.
- Furthermore, the surrounding area displays a varied pattern of development, including differing building forms, scales and extensions. In this context, the proposal would not appear incongruous or out of character and would not result in any material harm to the character and appearance of the street scene or the wider locality.

5. Character and Appearance

Policy 33 of the Horsham District Planning Framework seeks to ensure that development maintains and enhances the character and distinctiveness of an area.

The proposal complies with this objective.

Bailey Close contains a range of dwelling sizes and forms and there is no prevailing uniformity that would be undermined by the proposed extensions. The extensions would not appear visually intrusive or out of keeping with the established pattern of development.

Furthermore, due to the position of the property within the cul-de-sac and the limited public views available, the visual impact of the extensions would be relatively modest.

6. Compliance with Policy 32

Policy 32 seeks to ensure high-quality design that integrates successfully with its surroundings.

The proposal:

- Responds positively to the existing dwelling and surrounding built form.
- Uses matching materials and complementary design features.

- Preserves the residential character of the locality.
- Does not give rise to any demonstrable harm to visual amenity.

The refusal reason identifies no specific harm beyond a general assertion regarding cumulative scale and bulk.

The appellant submits that insufficient evidence has been provided to demonstrate that the proposal would result in material harm to the character and appearance of the area.

7. Planning Balance

- The proposal would deliver significant benefits by allowing the property to continue to meet the needs of its occupiers without requiring relocation and by making efficient use of an existing residential plot.
- No adverse impacts on neighbouring amenity, highway safety, heritage assets or environmental considerations have been identified.
- Accordingly, any limited change to the appearance of the dwelling is substantially outweighed by the benefits of the proposal.

8. Procedural Matter

The appellant notes that the formal decision notice did not itself contain the reasons for refusal, with these instead only being set out within the accompanying officer's report. Whilst the appellant was ultimately able to identify the Council's concerns from the report, it is respectfully submitted that decision notices should clearly and transparently state the reasons for refusal.

However, the appellant requests that the appeal be determined primarily on its planning merits, namely whether the proposal would genuinely result in unacceptable harm to the character and appearance of the area.

9. Conclusion

In conclusion, the proposed development represents a well-designed, proportionate and sympathetic extension to the existing dwelling. The proposal has been carefully designed to respond to its corner plot position, whilst ensuring that adequate spacing, private amenity provision and the living conditions of neighbouring occupiers are fully maintained.

The development would not result in any unacceptable harm to neighbouring amenity through overlooking, overshadowing or overbearing impacts, a position acknowledged within the Council's own assessment. Furthermore, the proposal would preserve the character and appearance of Bailey Close and would remain compatible with the varied pattern of development that exists within the surrounding area.

The appellant also notes that there are a number of comparable examples within the locality where similar forms of development have been approved, including extensions on prominent corner plots that were not required to be set back or set down. These decisions demonstrate that extensions of this nature can be accommodated without causing harm to the character of the area.

Accordingly, it is considered that the proposed development accords with the objectives of Policies 32 and 33 of the Horsham District Planning Framework (2015), and that the reason for refusal is not substantiated by any demonstrable harm arising from the scheme.

The appellant therefore respectfully requests that the Planning Inspectorate allows the appeal and grants planning permission for the proposed development at 1 Bailey Close, Horsham, West Sussex RH12 5QR.