Horsham District Council

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Farthings Walk, Lindisfarne

Address Line 1

Farthings Hill

Address Line 2

Address Line 3

West Sussex

Town/city

Horsham

Postcode

RH12 1WR

Description of site location must be completed if postcode is not known:

Easting (x)

515617

Northing (y)

131030

Description

Applicant Details

Name/Company

Title

Mr

First name

Lindsay

Surname

Dart

Company Name

Address

Address line 1

Lindisfarne

Address line 2

Farthings Walk

Address line 3

Town/City

Horsham

County

Country

United Kingdom

Postcode

RH12 1WR

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Erection of 6 houses and single garages for Farthings Farm Cottage and Sunicot
Site: Farthings Farm, Farthings Hill, Horsham

Reference number

HU/183/98

Date of decision (date must be pre-application submission)

10/09/1998

Please state the condition number(s) to which this application relates

Condition number(s)

7

Has the development already started?

- [x] Yes
- [ ] No

If Yes, please state when the development was started (date must be pre-application submission)

10/09/1998

Has the development been completed?

- [x] Yes
- [ ] No

If Yes, please state when the development was completed (date must be pre-application submission)

05/11/1999

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

I am applying for the removal of Condition 7 of the Planning Consent granted under reference HU/183/98 dated 10 September 1998, which states that "….the building(s) shall not be extended or altered in any way, unless permission is granted by the Local Planning Authority on application in that behalf". I feel that the condition is unnecessarily restrictive in the light of subsequent development in the area and the recent removal of this same condition for my immediate neighbour at Avoca House (DC/24/1772).

After more than 25 years in the property, I now wish to install more energy-efficient uPVC windows and doors (with exactly the same "look" as the existing wooden windows), a change that would ordinarily be allowable under the Permitted Development Rights. However, as I understand it, Condition 7 of the original approval under HU/183/98 effectively constitutes a blanket removal of all Permitted Development Rights associated with the six original properties in Farthings Walk, including my property. I believe that this is now disproportionate and unreasonable, as well as being unnecessary, and is inconsistent with the Government's guidance relating to planning permissions.

In particular, there have been three large-scale developments on and in the immediate vicinity of Farthings Walk since we have lived here (the extension to Farthings Walk, Firs Close and Pines Ridge), none of which have the same restrictions.

In the context of the above, and the equivalent removal of Condition 7 for my immediate neighbour, I feel that there is no longer any justification for the removal of national Permitted Development Rights from my property, and am therefore seeking their reinstatement by way of a Section 73 application to remove the offending condition from the original permission.

I shall therefore be grateful if you will consider my application favourably.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

I am seeking its removal so that Permitted Development Rights are reinstated.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☑ Yes
- ○ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ○ The agent
- ☑ The applicant
- ○ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ○ Yes
- ☑ No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- [x] Yes
- [ ] No

Is any of the land to which the application relates part of an Agricultural Holding?

- [ ] Yes
- [x] No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- [x] The Applicant
- [ ] The Agent

Title

Mr

First Name

Lindsay

Surname

Dart

Declaration Date

18/03/2025

- [x] Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

- [x] I / We agree to the outlined declaration

Signed

Lindsay Dart

Date

18/03/2025