# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0698
51 Bartholomew Way, Horsham, West Sussex, RH12 5JL

DESCRIPTION:
Conversion of existing double garage into garage, gym, and office space, including addition of a flat roof side dormer to the main roof.

RELEVANT PLANNING HISTORY:

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|---|---|---|
| DC/24/0370 | Conversion of existing double garage into garage, gym, and office space, including the installation of a flat roof side dormer to the main roof (Lawful Development Certificate - Proposed) | Application Refused on 02.05.2024 |

RELEVANT PLANNING POLICIES
**The National Planning Policy Framework (NPPF)**

**Horsham District Planning Framework (2015)**:
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**:
North Horsham Parish has not been designated as a Neighbourhood Plan area.

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:
**WSCC Highways:** No alterations are proposed to the existing access arrangement. The proposed development is not anticipated to give rise to a material intensification of use of the existing access point.

An existing double-bay garage will be lost as part of the proposals. It should be noted that the existing garage does not meet the minimum internal specifications for double-bay garages of 6m x 6m as outlined in Manual for Streets (MfS). Therefore, the LHA would not consider the existing garage for parking provision, as it is likely too small to accommodate modern sized cars. It is not unreasonable for the LHA to assume the garage could be being used for other purposes, such as storage. As such, no concerns are raised regarding loss of existing parking provision. The existing driveway is to be retained with provision for 1-2 cars.

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

**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:
One **(1)** representation has been received raising the following concerns: -

- Privacy, Light, Noise.
- Overlooking.

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

**Character and Appearance**

Policies 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.

Paragraph 135 of the NPPF states that developments should add to the overall quality of an area, be visually attractive, and should be sympathetic to local character and surrounding built environment, while not preventing or discouraging appropriate innovation. Paragraph 139 of the NPPF states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

The Horsham Town Design Statement states in respect of loft conversions that they "*should be kept to a small proportion of the roof area, kept below the ridge line and unobtrusive and not rely on the insertion of large dormers. Where dormer windows are to be inserted as an alternative to roof lights*

*they should be small and kept to a small proportion of the roof area. Dormers at the front should only be used if in keeping with the street scene*".

The proposed garage roof extension represents a sizeable addition which would occupy the vast majority of the existing side roof profile. It is considered that the scale and massing of the dormer would overwhelm the modest proportions of the existing garage. The development would be readily visible from surrounding land and properties and the dormer would represent a bulky extension which would be discordant with the simple subservient nature of the existing garage. The vast majority of neighbouring dwellings and outbuildings have retained their original roof profile and this context would extenuate the adverse visual impact which would arise from the proposed roof extension. It is therefore considered that the scale, mass and design of dormer would be overly dominant and conspicuous in relation to the existing garage and in this location, and hence would harm the character and appearance of the area.

There are also concerns in respect of the new window to the front elevation, which would have a height and proportionality which creates a top-heavy appearance to the building, in contrast to the more modest lower levels of the building.

While discussions have taken place as part of the application process to try and overcome the above concerns it has not been possible to agree an amended scheme, which the applicant raising concerns that a reduced dormer would create less usable accommodation. The above assessment has therefore been based on the original submission which has undergone public consultation.

The proposed side dormer and front window opening, by reason of their scale, form and design, would represent unduly dominant and visually intrusive additions which would be out of keeping with the character and appearance of the host building and the wider surrounding area. The proposed development would therefore detract from the visual amenities of the locality and would be contrary to Policies 32 and 33 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework.

**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.

The side dormer and front window would create new views where none are currently possible. These views would not though be unusual or unexpected in an established residential location such as this, where a mutual degree of overlooking is already present. The new window openings would not therefore create any harmful loss of privacy.

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 in respect of loss of light or outlook.

The ground and first floor accommodation would be used for incidental purposes in connection with the main dwelling, with use in such a manner unlikely to result in significant potential for harmful levels of noise or disturbance.

**Highways**

Policy 41 of the HDPF states that development which involves the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere or the need for the development overrides the loss of parking and where necessary measures are in place to mitigate against the impact.

The development would result in the loss of garaging accommodation, with a single parking bay retained at ground floor level. The LHA has though advised that the existing building is undersized for a double garage, and it would not therefore be expected to provide space for 2 parked vehicles. The retention of a single bay together with the hardstanding, which could accommodate 1-2 vehicles is

considered sufficient for a dwelling of this size in this location, and no harmful demand for street parking would be anticipated as a consequence of the proposed development.

It is not therefore considered that the development would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, and there is no conflict with the aims of the above policy.

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

**Conclusion**

While the proposal would not result in unacceptable harm to neighbouring amenity or any adverse impact on protected sites these are considered to be neutral considerations which are outweighed by the identified visual harm. The application is therefore recommended for refusal as the proposed side dormer and front window opening, by reason of their scale, form and design, would represent unduly dominant and visually intrusive additions which would be out of keeping with the character and appearance of the host building and the wider surrounding area. The proposed development would therefore detract from the visual amenities of the locality and would be contrary to Policies 32 and 33 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework.

**Recommendation: Application Refused**

Reason(s) for Refusal:

1. The proposed side dormer and front window opening, by reason of their scale, form and design, would represent unduly dominant and visually intrusive additions which would be out of keeping with the character and appearance of the host building and the wider surrounding area. The proposed development would therefore detract from the visual amenities of the locality and would be contrary to Policies 32 and 33 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework.

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.

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**Plans list for: DC/24/0698**
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **not approved**:

| Plan Type | Description | Drawing Number | Received Date |
|---|---|---|---|
| Location & Block plan | | 2388-8 REV C | 03.05.2024 |
| Floor plan | Ground, as proposed | 2388-2 REV C | 03.05.2024 |

| | | | |
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| Floor plan | Loft, as proposed | 2388-4 REV D | 08.05.2024 |
| Elevation plan | As proposed | 2388-6 REV C | 03.05.2024 |
| Section plan | A-A, as proposed | 2388-7 REV C | 03.05.2024 |

**DELEGATED**

Case Officer sign/initial Alice Johnson Date: 03.07.2024

Authorising Officer sign/initial Guy Everest Date: 03.07.2024