DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1077
Barrington House, Barrington Road, Horsham, West Sussex, RH13 5SN

DESCRIPTION:
Variation of Condition 1 of previously approved application DC/19/0379 (Conversion of existing dwelling and outbuildings into two dwellings) for external extensions and alterations.

RELEVANT PLANNING HISTORY:

DC/14/2274	Conversion of existing residential dwelling into two residential dwellings	Application Refused on 27.02.2015.
DC/19/0379	Conversion of existing dwelling and outbuildings into two dwellings.	Application Permitted on 10.05.2019.
DC/24/0861	Non-Material Amendment to previously approved application DC/19/0379 (Conversion of existing dwelling and outbuildings into two dwellings) To incorporate bicycle storage on the street elevation behind a lockable door: remove part of the ground floor wall to "barn" outbuilding and to alter the rear outbuildings.	Application Refused on 02.07.2024.

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

Horsham Blueprint Business Neighbourhood Plan (2019-2036):
Policy HB3: Character of Development
Policy HB4: Design of Development:

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

Consultations:
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:
1 representation has been received *objecting* to the application on the following grounds:

- Residual gap of 9.0m currently allows proportion of natural light and sunlight into garden
- Proposal will reduce gap by over 2.1m by virtue of overbearing two-storey rear extension
- Rear-facing windows look directly into garden
- Earlier application (DC/14/2274) for similar proposals, was refused and dismissed on appeal due to the adverse impact upon the neighbouring properties amenities.
- Overbearing and material loss of both sunlight and natural light

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 seeks permission for a material amendment to the existing planning permission (ref: DC/19/0379) through a variation of the approved plans list (Condition 1) to accommodate a series of amendments to the approved design. The amendments include:

- Incorporation of current access way to the rear and infilling of existing opening
- Two storey extension to provide bedroom accommodation, extending no further than rear wall of adjacent dwelling.
- Removal of existing single storey outbuildings and replacement with larger single storey extension
- Forming of two openings at the ground floor of the barn located in the rear garden.

Design and Appearance

Policies 32 and 33 of the HDPF seek 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.

There are a number of existing buildings within the curtilage of Barrington House which form the common boundary with 1 Barrington Road. These include single storey outbuildings and a large two

storey building. There are several windows within the neighbouring property which look onto the common boundary, serving bedrooms, a dining room, and a kitchen.

The proposal seeks to vary condition 1 of DC/19/0379, which relates to the plans list. The property has approval to split into two dwellings, this application seeks variation to form a two/three-bedroom property. The proposal would retain the existing features such as the brick arches and it has been designed to be in keeping with the existing and surrounding properties. The only change to the principle elevation is to infill the opening to the alley way, with a simple timber planked door to match existing openings. To the rear, a two-storey extension, and amendments to the roof height of the existing single storey extension are proposed, as well as new openings.

Overall, the proposed extensions would have limited aesthetic value but would be in keeping with the existing design and appearance of the application site.

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.

At present, a window serving the kitchen at the adjacent property (No. 1) faces north on to the southern boundary of the application site, which looks directly onto the roof of the existing single storey outbuilding. The proposed amendments would involve erecting a two-storey rear extension, increasing the height from 2.56m, as approved in the original permission (DC/19/0379), to 5.06m with a 2.3m rearwards projection. The roof height of the single storey outbuilding would be increased from 2.5m to 3.21m. This increase would have a significant impact on the kitchen and dining room windows in the neighbouring property. Not only would the users of these neighbouring ground floor rooms suffer some reduction in daylight, but they would also suffer a loss of outlook, albeit that outlook is only the sky. While the proposed two-storey would not extend further than the rear building line of the adjacent property, the combination of these factors means this effect would be unacceptably harmful and contribute to an overbearing impact on the living conditions of the occupants of No.1.

It is noted that a similar proposal to increase the height of the outbuilding was refused in 2014 (ref: DC/14/2274). An appeal was subsequently dismissed, with the Planning Inspector considering that the combination of the two-storey extension and increased roof height of the single storey outbuilding, in conjunction with their very close proximity to the neighbouring property would cause significant harm to the living conditions of the neighbours. There are limited changes to this proposal, when compared with the 2014 proposal, so it is considered that the Planning Inspectors comments are still relevant.

It is therefore considered that the increase in height of the common boundary, by virtue of the construction of the increase in height of the single storey outbuilding to form a garden/dining room, would result in an unacceptable degree of enclosure and loss of outlook for the occupiers of 1 Barrington Road. In addition, there would be a significant reduction in the amount of daylight currently reaching the garden of the occupiers. The increased height of the single storey outbuilding would therefore cause unacceptable harm to the living conditions of the occupiers of the adjacent property. The proposal would not comply with the above policy and is therefore considered to be unacceptable.

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

Biodiversity Net Gain

In accordance with the Biodiversity Gain Requirements (Exemptions) Regulations 2024, all householder applications are current exempt from the statutory requirement to demonstrate a 10% net gain in biodiversity.

Conclusion

The proposal is considered not to comply with relevant local and national planning policies and is therefore recommended for refusal.

Recommendation: Application Refused

Reason for Refusal:

1. The proposed two-storey rear extension by reason of its size, design, and proximity to the neighbouring property, coupled with the increase in height of the single storey outbuilding, would cumulatively result in an inappropriate form of development which would be detrimental to the outlook and residential amenities of the occupiers of the adjacent property to the north (1 Barrington Road) by reason of an overbearing and over-dominating impact. The proposal is therefore contrary to policies 32 and 33 of the Horsham District Planning Framework (2015).

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/24/1077
Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Floor plan	Proposed	1053-21E	12.07.2024
Elevation plan	Proposed	1053-23 REV A	12.07.2024
Floor plan	Proposed	1053-22E	12.07.2024
Supporting Statement	Planning	none	12.11.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 06.01.2025

Authorising Officer sign/initial RHERMITAGE Date: 07.01.2025