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Mr Jacques Burrows
Planning Officer
Horsham District Council
Parkside
Horsham
West Sussex
RH12 1RL

Our ref WEALD/24/04
Your ref DC/24/1307

18.10.24

Dear Mr Burrows,

DC/24/1307- Erection of a two storey rear extension, enlargement of the eastern most roof, addition of a front facing dormer, and addition of two new rooflights at Copper Beeches, Upper Station Road, Henfield, West Sussex, BN5 9PL

I refer to the above application. I have been contacted by the neighbouring residents who live at Fairlawns (immediately to the west of the site). They have asked me to review the application documents submitted and submit representations on their behalf. Having reviewed the submitted documents, my clients wish to **OBJECT** to the proposed development.

In reviewing the documentation, it is clear that there is inconsistencies in the submitted plans. My client's property has a projecting bay feature on the rear elevation, closest to the proposed development. This feature is shown on some of the plans and drawings and not on others (for example the proposed site plan, drawing no. AT-064-P09 A). As the proposed site plan is a key drawing, showing the relationship between the proposed extension and the adjoining properties (in particular Fairlawns), it should be an accurate representation of the position "on the ground". Inaccurate drawings will only serve to confuse and potentially mislead those who want to comment on applications. My client has measured the depth of the bay window (the ground floor window closest to the proposed extension), and this is measured at 0.76m from the main part of the rear wall. When scaled off the drawing showing the 45 degree guideline (AT-064-P18), the bay feature is shown to be 1m from the main rear wall of the dwelling. Although the difference is minimal, given the relationship between the properties, this represents a significantly different outcome in terms of how much the 45 degree guideline is infringed. This is highlighted further below.

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The development plan consists of the Horsham District Planning Framework, adopted in November 2015, and the Henfield Neighbourhood Plan which was made in 2021. Applications for planning permission should be determined in accordance with the policies of the development plan, insofar as they are relevant, unless material considerations indicate otherwise. The relevant policies are set out below;

- Policy 32- The Quality of New Development
- Policy 33- Development Principles

The relevant policies of the Henfield Neighbourhood Plan are set out below;

- Policy 1- A Spatial Plan
- Policy 12- Design Standards for New Development

The site is located within the defined limits of the settlement of Henfield. There are no other policy constraints that apply directly to the site.

Other material considerations- in relation to other material policy considerations, the NPPF was published in December 2023 and provides Government guidance on a number of matters, including in section 12 that planning should be seeking to achieve well designed and beautiful places. In addition to the Neighbourhood Plan, the Parish Council have adopted a Design Statement in 2019.

Policy 32 of the development plan requires new development to be based on a clear understanding of the local, physical, social, economic, environmental and policy context for development. In particular, development will be expected to provide an attractive, functional, accessible, safe and adaptable environment and complement locally distinctive characters and heritage of the district. It is accepted that the character of the surrounding area is varied in terms of the built form and design and appearance of the surrounding dwellings, and that dormers are a particular feature of the immediate vicinity. However, as originally planned and designed the street had a relatively uniform rear building line, and

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this remains today, with only one or two exceptions. This is evidenced in the covenants set out in the legal titles previously submitted to you by my client. Whilst not a planning consideration, it is clear that the distinctive character and heritage of the area was aimed at avoiding rear extensions in depth which would potentially have a harmful impact on the amenities of the occupiers of the adjoining properties. The drawings submitted relating to the 45 degree guideline include a drawing (no. AT-064-P21) which purports to show the "average" building line to the rear of the properties on this side of the street. However, it actually shows the depth of the main building element of Oakleigh, a property to the east of Copper Beeches, and shows that all other rear elevations are not as deep (including the extended Copper Beeches). However, the extract below from the submitted location plan shows a wider view;



Whilst it is not clear how the "average" building line has been calculated, it is clear that aside from the exceptions at Oakleigh and Clemsfold, the majority of the rear building lines are aligned with Fairlawns. The proposed extension of Copper Beeches would significantly infringe this line.

My client's main objection is in relation to the impact of the development on the amenities of his property.

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Policy 33 of the development plan sets out development principles that need to be complied with in order that developments conserve and enhance the natural and built environment. One of the principles is that development should ensure that it is designed to avoid unacceptable harm to the amenity of occupiers and users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development. In addition, development should 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,

The proposed development does not 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 as required by principle 3 of the policy. The proposed development has not taken into account the impact on the adjoining property to the west. It is noted that the applicant has recently submitted a set of diagrams demonstrating the "45 degree" guideline and the impact on Fairlawns. The diagrams demonstrate that in plan form, the 45 degree guideline from the centre line of the ground floor bay window meets the corner of the proposed extension. However, as highlighted above, it appears that the bay window of Fairlawns has been drawn deeper than it actually is "on the ground", and this therefore alters the outcome of the impact of the 45 degree guideline test at ground floor. In addition to this, as the bay window has an angled section on the eastern side which faces towards the proposed extension, the outlook will be different from a window that was aligned with the existing rear wall, where there would only be an oblique view of the proposed extension. The eastern facing element fo the bay allows for direct views of the extension which it is submitted will be harmful to the outlook from this window.

At first floor level, the 45 degree line is infringed. Together, this demonstrates that there is likely to be a loss of light to the nearest rear facing windows of Fairlawn. It is also important to appreciate that the rear elevations of the properties on this side of the road face north, and therefore receive limited amounts of light, particularly sunlight, compared to properties with a south facing rear elevation. As a result, it is submitted that the proposed development results in harm to the amenities of the occupiers of the adjoining property, in

particular due to loss of light.

In addition, the two storey rear extension extends 5.5m beyond the rear elevation of Fairlawns. Although the design of the second storey is to provide accommodation with a roof space, the eaves of the proposed extension, adjacent to the boundary with Fairlawns, are 3.7m above ground level. This is higher than would normally be expected and is as a result of providing accommodation within the roofspace and ensuring that there is a suitable floor to ceiling height in the upper floor accommodation. The height of these eaves and the resultant built form results in an overbearing impact on the outlook from the rear windows of Fairlawns, and the patio area. This impact is particularly exacerbated as the proposed extension would be built 1m off the common boundary. My client has previously sent in photographs of the site when viewed from his ground and first floor windows and patio area, and it should be clear from these photographs that the impact will be seriously harmful. In particular, there is a side window at ground floor level at Fairlawns that faces towards the proposed development which will be significantly impacted in terms of light received, but there is no assessment of the impact on this window. The outlook from this window is shown below;



Although the outlook is partly impacted by the existing built form at Copper Beeches, the increased depth and height of the proposed extension will significantly worsen this outlook

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and amount of light received.

The Henfield Neighbourhood Plan also forms part of the development plan for the area. Policy 1 sets out that development proposals located inside the identified Settlement boundaries will be supported, provided they accord with the other provisions of the Henfield Neighbourhood Plan and the Horsham District Planning Framework.

Policy 12 of the Neighbourhood Plan sets out that development proposals will be supported if a number of criteria are complied with. The criteria include that the design respects the amenities of occupiers and users of nearby property and land, and that the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, are of a high quality and reflect the architectural and historic character and the scale of the surrounding buildings.

As highlighted above, it is submitted that the design and depth of the rear extension does not reflect the historic character of the surrounding area, where there is a general uniformity to the rear building lines, a feature protected by covenants set out in the title deeds to the properties.

However, of greater significance is the impact on the amenities of the occupiers of the adjoining property, specifically Fairlawns. As evidenced above, the proposed development is of a depth and scale which will result in an overbearing impact and loss of light to the rear windows and patio area of Fairlawns. My clients are also concerned that the high level windows in the flank elevation will allow additional light spill onto their property.

The Henfield Design Guide is a material consideration, and having been adopted in 2019 should be attributed considerable weight. Paragraph BD2 sets out that "*the form of an extension or alteration will be influenced largely by the scale, design and layout of the existing building and its relationship with surrounding properties.*" It is clear from the evidence above that the proposal is not influenced by the relationship with the adjoining property (Fairlawns), given that it is submitted that significant harm is caused. As highlighted above, it appears that the relationship between the existing built form at Copper

Beeches and Fairlawns is not accurately represented on the submitted plans and drawings, in particular in relation to the bay window and the depth of Copper Beeches relative to Fairlawns.

As a result of the above, it is clear that the proposed development demonstrably does not comply with the policies of the development plan. The proposed development therefore does not fall within the definition of sustainable development as set out in paragraphs 10 and 11 of the NPPF, and planning permission should not be granted.

Yours sincerely,

[redacted]

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